

You'll Never Work Again
The Great Safety Charade

Bernard Paul Corden

Er cof am blant y ysgol 116 a 28 o oedolion a fu farw yn Aberfan 21ain Hydref 1966



You'll Never Work Again - The Great Safety Charade

Cover notes

The cover photograph depicts the aftermath of the [Aberfan](#) disaster in South Wales, which occurred over 50 years ago on 21st October 1966. It claimed the lives of 116 children and 28 adults when a thixotropic avalanche of coal mine tailings slid down a hillside and engulfed the Pantglas junior school. The horrific disaster wiped out a generation and many decades later it was pronounced as a mistake that cost a village its children. In the subsequent Tribunal of Inquiry it was described as a terrifying tale of bungling ineptitude although no criminal charges ensued and not a single National Coal Board executive was demoted or lost their job. Preventive statutory occupational health and safety legislation was eventually gazetted in the United Kingdom. This codified the duty of care principles of common law, which were initially established under the tort of negligence following the landmark Paisley snail product liability case involving a contaminated bottle of ginger beer (*Donoghue v Stevenson* [1932] UKHL 100). It was underpinned from an occupational health and safety perspective several years later via *Wilsons & Clyde Coal Co Ltd v English* [1937] UKHL 2.

Much of the credit for reform of statutory legislation following Aberfan was attributed to [Lord Robens of Woldingham PC](#), the former chair of the National Coal Board. However, its indisputable architect was the late [Michael Foot FRSL](#), a humanitarian pilgrim. Current legislative arrangements in most developed countries adopt a preventive systematic and consultative risk management approach based on the [precautionary principle](#). The framework attempts to reduce the tsunami of workplace injuries and disease although there is no empirical evidence covering its effectiveness, especially amidst the contemporary sociopolitical environment with the plutocratic merger of state and corporate interests. This is reflected via the recent catastrophic tailings dam failures involving [BHP at Samarco](#) and [Vale Sociedade Anônima at Brumadinho](#) in the south eastern Brazilian state of Minas Gerais. Existing provisions have also failed to prevent a resurgence of [black lung](#) throughout Queensland's Bowen Basin in Australia and the [Appalachian coalfields](#) across West Virginia in the United States. Moreover, other occupational lung diseases such as mesothelioma, [silicosis](#) and escalating psychosocial issues present significant foreboding challenges.

Working Class Hero - John Lennon

<https://www.youtube.com/watch?v=iMewtlmkV6c>

*As soon as you're born they make you feel small
By giving you no time instead of it all
Till the pain is so big you feel nothing at all
A working class hero is something to be
A working class hero is something to be*

*They hurt you at home and they hit you at school
They hate you if you're clever and they despise a fool
Till you're so fucking crazy you can't follow their rules
A working class hero is something to be
A working class hero is something to be*

*When they've tortured and scared you for twenty-odd years
Then they expect you to pick a career
When you can't really function you're so full of fear
A working class hero is something to be
A working class hero is something to be*

*Keep you doped with religion and sex and TV
And you think you're so clever and classless and free
But you're still fucking peasants as far as I can see
A working class hero is something to be
A working class hero is something to be*

*There's room at the top they're telling you still
But first you must learn how to smile as you kill
If you want to be like the folks on the hill*

*A working class hero is something to be
A working class hero is something to be
If you want to be a hero well just follow me
If you want to be a hero well just follow me*

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Men of power have no time to read, yet men who do not read are unfit for power

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Foreword

Many books have been written in the genre of safety but few embrace a political perspective. Perhaps this is because the industry of safety evolved out of engineering and science beginnings and so evolved with a myopic focus on technology, regulation and legislation. Indeed, many of the early associations in safety included the title of 'engineering' in their identity. This has since been substituted for the title of 'professional'.

Whilst many reports, coronial investigations and reviews adopt a political perspective, very few publications like this book venture into the political minefield of vested interests, power and corruption, political discourse and justice. To do so, is an act of risk in itself.

'Speaking truth to power' often results in isolation and alienation by those being criticized. In an industry addicted to compliance as its *raison d'être*, such a book is not likely to be described as 'popular'. Those who embrace Critical and Cultural Theory don't usually find populism of much merit anyway and there may be some turns of phrase in this text that might alienate vested interests further.

However, this is a book the safety industry needs. It names many political conflicts of interest in a sector that is at best politically naïve and at worst, delusional about apolitical identity. Indeed, this book demonstrates that the safety industry too often 'gets in bed' with vested interests and then wonders why it is ineffective. The fact that no curriculum in Work Health and Safety in Australia includes curricula on politics, justice, ethics or critical theory is testament to political near sightedness as a characteristic of its culture.

This is a book that names many 'sacred cows' and hangs them out to dry. It does so through critique of significant tragedies, events and disasters and in detailed articulation it names political dynamics in operation 'behind the scenes'. In so doing, the book pulls apart many myths that are upheld in the safety industry that have been constructed as 'sacred'. This makes the book iconoclastic and deconstructionist in nature.

However, this is not just a book that just tears apart the political fabric of the safety industry but also (in the second half) builds up a new model for undertaking leadership in safety. I will leave it up to you to read about those positives associated with a transdisciplinary approach to risk.

This book sets forth many underlying political problems that constrain a sector that seeks to do good. Unfortunately, whilst the industry seeks to keep people safe it remains tangled up in its own naivety and mechanistic ideology. The safety industry has a long way to go before it engenders wisdom, discernment and humanizing in risk.

This is not a perfect book and it uses many expressions that I would not invoke. In some ways it will take as much courage for a safety person to read this book as it has taken the author to write it. I trust you enjoy reading this book and that it opens up new horizons for you as you seek to understand the risk in all of its political machinations.

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Preface

The recent resources boom in Australia saw a commensurate focus on occupational health and safety management. It also presented a unique opportunity to generate transformational change using a transdisciplinary evidence based approach. However, direct observation of activities and confirmation from colleagues across many projects, indicates significant regression and a resurgence of putative accident theory. It has been supplemented with a plethora of nebulous soft systems change management processes, which includes the ubiquitous and pestilential concept of zero harm. This treatise reflects on the systematic destabilisation and emasculation of occupational health and safety architecture over recent years and explores several interdependent and exogenous contributory factors, which have compromised its legitimacy.

This includes a race to the bottom via rampant neoliberalism and its laissez faire doctrine, regulatory capture and the embryonic gig economy with an inchoate precariat. It reviews the concurrent renaissance of accident theory and compares its attributes with risk management principles, the Shingo model of operational excellence and distinctive features of high reliability organisations. Recommendations include abandoning atavistic accident theory and adopting a systemic risk management approach, which provides an evidence based transdisciplinary framework to align with the guiding principles of operational excellence and the unique traits of high reliability organisations.

Acknowledgements

My gratitude extends to Professor Dennis Else and the Intake 26 team from the Victoria Institute of Occupational Safety and Health at the University of Ballarat for their wisdom and enlightenment all those years ago. Special thanks are also credited to Dr. Rob Long for his inspiration, courage to challenge the orthodoxy and speaking the truth to power.

I would also like to acknowledge the tolerance and encouragement from my devoted partner Teresa who hails from Karisokera in the highlands of Madang Province, Papua New Guinea and our beautiful daughters, Julia and Jacobeth. Despite its many governance issues and subsequent political, economic and social turmoil it is one of the few remaining countries on the planet with a genuine culture.

About the author

Bernard Paul Corden hails from the low provenance Ilchester Square tenements in the north end of Birkenhead opposite Liverpool on the banks of the River Mersey. After almost ten years with Shell UK Oil as an industrial chemist at its Stanlow refinery near Ellesmere Port, a career change involved emigrating to Australia. Additional tertiary education via a graduate diploma from the University of Ballarat under the guidance of Professor Dennis Else was followed by a fascinating tenure with a food manufacturing company at Lae in Papua New Guinea.

Since returning to Australia activities have included various senior safety roles on energy resources projects throughout Queensland and significant input into its parliamentary inquiry covering the resurgence of black lung. The egregious and regrettable performance of many mediocre rednecks and socially autistic safety malaperts provided ample encouragement to write and publish this treatise. It is corroborated by sufficient substantive evidence, which exposes the great safety charade with its patronising disposition of unaccountable power and lack of professional ethics.

Dedication

This treatise is dedicated to the victims and bereaved families of the Aberfan, Piper Alpha and Hillsborough disasters and the casualties of preventable occupational lung diseases, which includes many coal miners. Welfare must never degenerate into warfare and with hope in your heart, you'll never walk alone.....*Do not go gentle into that good night, old age should burn and rave at the close of day; Rage, rage against the dying of the light.* - [Dylan Thomas](#).

Conflict of interest

The author declares no conflict of interest and any proceeds arising from this treatise will be donated to the Wayside Chapel at Kings Cross in Sydney, New South Wales, Australia in support of its humanitarian efforts and compassion. Indeed, the occupational health and safety sect must embrace these benevolent and noble traits to restore its tattered integrity as it embarks on a demanding journey towards professionalisation. However, its incessant, disruptive and shameful performance indicates an extremely long and winding road awaits.

Quis custodiet ipsos custodes?

A reasonable estimate of economic organization must allow for the fact that, unless industry is to be paralyzed by recurrent revolts on the part of outraged human nature, it must satisfy criteria, which are not purely economic

R H Tawney - *Religion and the Rise of Capitalism* (1926) ¹

The recent resources boom in Australia saw a commensurate focus on workplace health and safety. It also created a perfect opportunity to generate transformational change using [risk theory](#) with a [transdisciplinary](#) evidence based approach. However, affirmation from many projects indicates significant regression with a resurgence of egocentric [accident theory](#), which is antagonised by a plethora of complex and nebulous psychology based nostrums. This has constrained progress, shredded legitimacy and generated a concomitant increase in [obscurantism](#) and [agnology](#). ²⁻¹⁰

Corporate safety strategies and policies often embrace [risk theory](#) but it is a patina of [good governance](#) and [corporate social responsibility](#). Further investigation at operational and tactical levels usually discovers a misalignment of strategy and atavistic [accident theory](#) prevails. It is flourishing throughout the resources sector and has been subliminally embraced by cohorts of evangelical safety crusaders and many project managers. ¹¹⁻¹³

Rampant unfettered [neoliberalism](#) has created a [race to the bottom](#) with a [laissez faire](#) doctrine and malevolent [freedom to harm](#) amidst a culture of [casino capitalism](#) and [kleptocracy](#). [Regulatory capture](#) is also apparent and complemented by an embryonic [gig economy](#) generating contingent employment via an emergent [precariat](#). It is exacerbated by a tyranny of insufferable bureaucracy, cause effect dogma and an unconscionable focus on reactive performance metrics, especially recordable [injury frequency rates](#). ¹⁴⁻²⁸

Meanwhile, a cornucopia of displacement activities has been implemented. This includes [zero harm](#), behaviour based safety programs, cultural surveys, incentive schemes and a concoction of abstract [soft systems](#) change management processes. It is compounded by a precarious over reliance on cosmetic lower order administrative protocols and the use of personal protective equipment. This is reinforced via intimidation and fear and inculcated using a relentless stream of corporate bilge and turgid sesquipedalian sludge masquerading as leadership, which begs the question.....*Quis custodiet ipsos custodes?* ²⁹⁻⁴⁵

Legislation

Injustice anywhere is a threat to justice everywhere

Martin Luther King Jr ⁴⁶

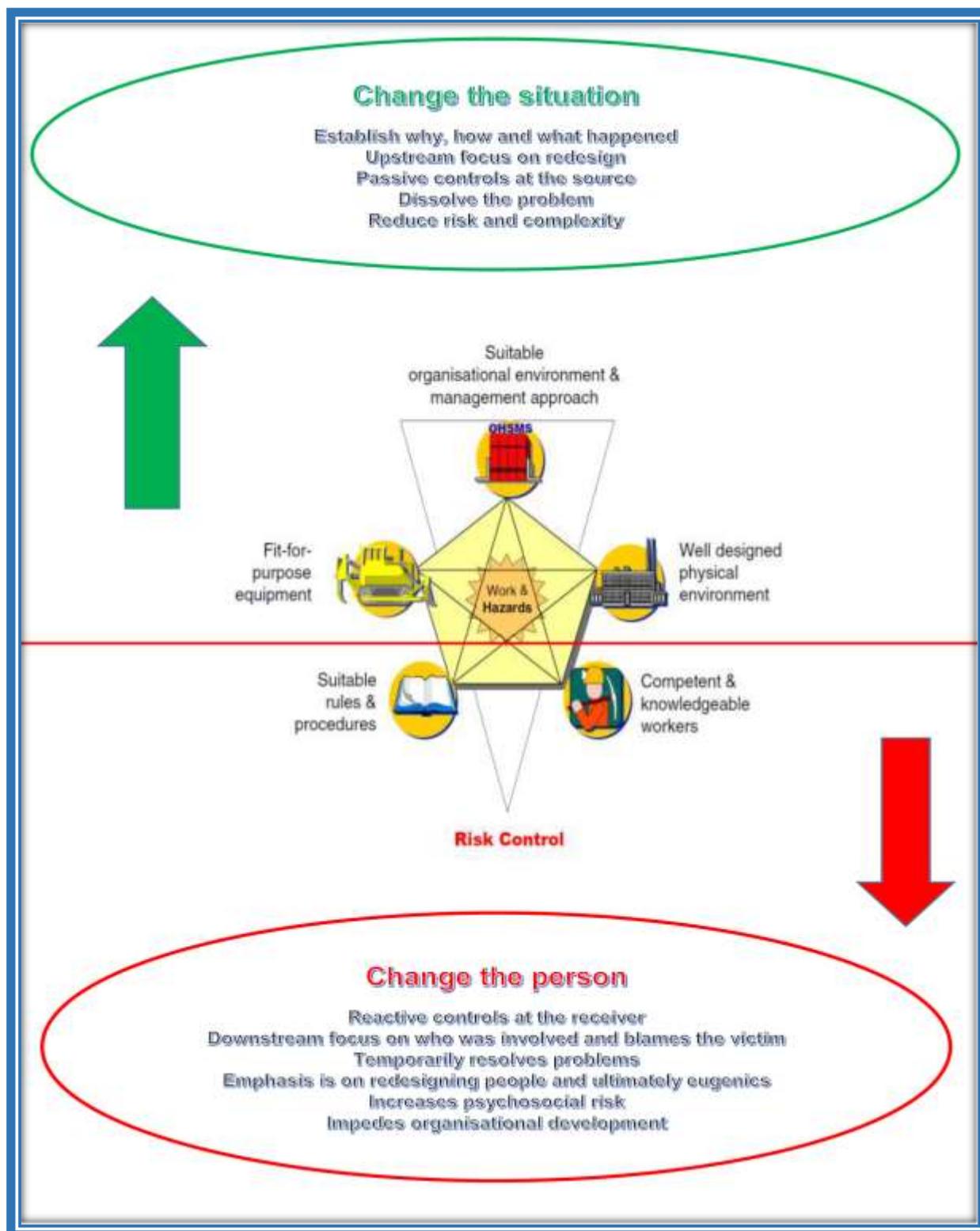
In March 2004 the [Commonwealth of Australia](#) ratified International Labour Organization [Convention C155](#). Its framework provides for a nationally consistent and coherent policy to secure the health and safety of people at work. However, the federal government has no constitutional power covering general health and safety legislation. It is administered by individual states and territories and almost two decades later national uniformity and the harmonisation of work health and safety legislation remains unresolved. ⁴⁷⁻⁵⁰

In September 2011, [Safe Work Australia](#) developed a single set of model work health and safety laws to be implemented by the commonwealth, states and territories across Australia. Safe Work Australia merely maintains these laws, which include a model [Work Health and Safety Act](#) supported by regulations and codes of practice. Commonwealth, state and territory statutory authorities are responsible for the regulation and enforcement of these laws in their respective jurisdictions. This is accomplished using a national compliance and enforcement policy, which was endorsed by the [Workplace Relations Ministers' Council](#) in August 2011. Current arrangements adopt preventive mechanisms based on the precautionary principle using a principal Act. This serves as a deterrent and much like speeding fines, offences are usually categorised as [quasi-criminal](#). It is supported by a no fault workers' compensation scheme. The Act merely codifies duty of care principles of common law, which are summarised by the systems model of risk control ([Figure 1](#)). ⁵¹⁻⁵⁷

Model Work Health and Safety Act

Its primary object is to provide for a balanced and nationally consistent framework to secure the health and safety of employees and workplaces. Duty holders must eliminate or minimise risk and establish effective and democratic consultation and communication protocols. It also specifies requirements for the provision of information, education, training and securing compliance. An [explanatory memorandum](#) describes how the Act operates and [interpretive guidelines](#) explain transitional arrangements and health and safety duties. Additional documents define the terms [reasonably practicable](#) and person conducting business or undertaking and provide clarification on [discriminatory, coercive or misleading conduct](#). ⁵⁸⁻⁶⁶

Figure 1: A systems model of risk control



A systems model of risk control

(Standards Australia OHS Risk management handbook HB 205: 2004; p.36)

Model Work Health and Safety Regulations

The [model regulations](#) prescribe requirements to support specific duties under the Work Health and Safety Act via a preventive, systematic and consultative risk management approach. It also includes procedural and administrative arrangements covering licensing and record keeping. An [explanatory statement](#) describes how the regulations operate and a [supplementary guide](#) provides a broad overview of statutory obligations. ⁶⁷⁻⁶⁹

Model Codes of Practice

[Model codes of practice](#) offer practical guidance for achieving prescribed standards of health and safety and must be approved in the relevant jurisdiction to establish any legal status but...*if you like [laws and sausages](#) you should never watch either being made.* ⁷⁰⁻⁷²

Harmonisation

The harmonisation process was part of the [Council of Australian Governments](#) national reform agenda which aimed to reduce regulatory burden and create a seamless national economy. Its performance based approach contrasts with the prescriptive legislative regime in the United States. However, following investigations into many disasters over the past fifty years, evidence suggests both approaches are equally unsuccessful in stemming the tsunami of damage, injury and loss. It indicates that regulators are unable to envisage any tangible logic for legislation much beyond defining responsibility and allocating blame. ⁷³⁻⁷⁵

The recent independent review panel inquiry into the [Hillsborough](#) stadium disaster uncovered flawed coronial procedures, dubious police practices and regrettable inquest verdicts. It also raised serious concerns about the institutional, structural and entrenched deficiencies in the law and its administration. Indeed it appears legislation is almost irrelevant as a preventive mechanism and the solution obviously lies elsewhere. An alternative approach includes the concept of systemic risk control, which is discussed extensively by [Rowe](#) and [Viner](#). It is also a prominent feature in the constitution of the [Berufsgenossenschaften](#) or professional industry associations in Germany. ⁷⁶⁻⁸²

Following disasters such as [Aberfan](#), [Piper Alpha](#), [Hillsborough](#) or the recent [Grenfell Tower](#) inferno, the bereaved and survivors often find to their financial and emotional cost that the theatre of law has very little to do with the discovery of truth and realisation of justice. The only parole for the grieving dependents is death or dementia. ⁸³⁻⁸⁴

Race to the bottom

Everybody knows that the boat is leaking, everybody knows that the captain lied

Leonard Cohen ⁸⁵

Race to the bottom is a socioeconomic condition, which occurs when nations, states and corporations sacrifice safety, regulations and wages via deregulation and diminution of labour standards in order to retain or attract economic activity in the respective jurisdiction. This gained traction in the United States during the 1930s, following the great depression. It operates ingeniously and circumvents the legislative framework using several mechanisms, which include **regulatory capture** and contingent employment via **the gig economy**. The enforcement of regulations and labour standards becomes less vigorous with escalating violations. This has become increasingly prevalent with the resurgence of rampant and unfettered neoliberalism since the 1980s. It is evident across Australia, particularly in the aviation services, retail, agricultural, resources, construction and horticultural sectors. ⁸⁶⁻⁹⁰

Neoliberalism and laissez faire safety

Neoliberalism encourages the value of free market competition and reflects the unilateral doctrine of **laissez faire** economics endorsed by the profits of cents, **Ludwig von Mises**, **Friedrich Hayek** and **Milton Friedman**. It advocates free trade polices with an unrestricted transfer of international capital, which was embraced by many major global conservative political parties during the 1980s and promoted as **trickle-down economics**. ⁹¹⁻⁹⁸

Its relentless pursuit of power and profit is even supported by many socialist or democratic governments. Symptoms include privatisation, deregulation, contracting and competition in public services, diminution of trade unions and massive tax cuts for many corporations, their wealthy executives and investors. Policies were imposed without democratic consent by the **World Bank**, **International Monetary Fund** or the **World Trade Organisation**. It promotes freedom and choice using a paradoxical slogan, which was often reiterated by the late **Margaret Tina Thatcher**.....*There is no alternative*. This creates immense inequality with a malevolent **freedom to harm**, which endangers the environment and increases the risk of **industrial diseases** and **psychosocial disorders**. Meanwhile, corporate behemoths take the profits and the state endures the risk. It eventually results in increased taxes, crumbling infrastructure and the deterioration of public health and many other community services. ⁹⁹⁻¹⁰⁷

In June 2000, the federal government announced it would move the [National Occupational Health and Safety Commission](#) from Sydney to Canberra. Many experienced employees did not relocate and resigned. Its budget was slashed by almost \$4 million and it remains parsimonious with workers compensation added to the portfolio. Meanwhile federal and state governments persevere with a political and economic destabilisation strategy. The ratification of International Labour Organization [Convention C155](#) was fundamental to harmonisation of safety legislation. Nonetheless despite recommendations from the [Industry Commission](#), the federal government under [John Howard](#), a staunch neoliberal acolyte, deliberately stonewalled its endorsement. This raised increasing concern over compliance with other fundamental [conventions](#) and international [obligations](#) and it was begrudgingly and belatedly approved in March 2004. However in January 2006, the federal government with control in the senate, dissolved the [National Occupational Health and Safety Commission](#). It was replaced by an administrative advisory body, the [Australian Safety and Compensation Council](#). ¹⁰⁸⁻¹²⁰

In November 2009, the federal labour government cautiously redressed the situation and established [Safe Work Australia](#), which is merely a statutory agency. It requires ministerial council approval of corporate and operational plans and allowed the Subiaco fishwife, our [minister for jobs and innovation](#) to veto appointment of its representatives. The fundamental tenets of independence and tripartite arrangements have been relinquished and you cannot be half pregnant. This [neoliberal laissez faire](#) dogma and its shallow commitment is best summarised by the late [Harry Truman](#).....*Always be sincere, even if you don't mean it.* ¹²¹⁻¹²⁹

Irrespective of their occupation or political persuasion every employee has a fundamental right to a healthy and safe working environment. This allows them to lead successful working lives and is consistent with the [United Nations Universal Declaration of Human Rights](#). It also aligns with the [object](#) of harmonised legislation, which is to provide a balanced and nationally consistent framework and secure the health and safety of people at work. The destabilisation commenced with the emasculation of the [National Occupational Health and Safety Commission](#) in June 2000 and included its dissolution in January 2006. During the transition, a former [BHP executive](#) was appointed as interim chairman and almost two decades later, harmonisation remains unresolved. The incumbent chair of [Safe Work Australia](#) is a former Westpac executive and currently a non-executive director with [AGL Energy](#) and [Wesfarmers](#) and a [board member](#) with the University of Western Australia [Business School](#). ¹³⁰⁻¹⁴²

Safe Work Australia strategy

The [laissez faire](#) safety dogma has significantly compromised the vision and several national action areas of the [Safe Work Australia strategy](#). These are detailed in [Figure 2](#) and include the fundamental elements of government, responsive and effective regulatory framework and research and evaluation. Its vision subliminally promotes a link between safety and productivity that is somewhat tenuous and surreptitiously advocates deregulation. ¹⁴³⁻¹⁴⁴

The current strategy is like a house of cards built on a flood plain. It has been inundated by rampant [neoliberalism](#) with its [free market fundamentalism](#) and culture of [casino capitalism](#), which is merely an alliance of state and corporate interests. This has besmirched the safety profession and [regulatory capture](#) is apparent within many statutory authorities.....*No matter how beautiful your strategy, you should occasionally look at the results.* ¹⁴⁵⁻¹⁵⁷

The embryonic [gig economy](#) and its byzantine contingent employment arrangements has circumvented the legislative framework and obfuscated [duty of care](#). Research and education funding for many institutions has been ruthlessly slashed, which enervates the remaining interdependent action areas and has shredded strategic outcomes. ¹⁵⁸⁻¹⁶³

It has generated a concurrent renaissance of atavistic [accident theory](#) with an inordinate focus on individual responsibility and unsafe acts. This creates spontaneous negative symptoms with many social encumbrances, which include blame, fear and retribution. A bad system eventually beats a good person and the bungling ineptitude is exquisitely encapsulated by [W. Edwards Deming](#) making toast.....*You burn and I'll scrape.* ¹⁶⁴⁻¹⁶⁶

A harridan [minister for jobs and innovation](#) wielded formidable authority over [Safe Work Australia](#), which is only an agency with superficial independence. It assists with delivery of a workplace relations system amidst an autonomous [neoliberal](#) maelstrom. This is reinforced by a unilateral doctrine of [laissez faire](#) with a malevolent [freedom to harm](#) and abrogation of moral responsibility. A [race to the bottom](#) has systematically undermined the entire occupational health and safety framework and compromised its legitimacy and integrity. Moreover and rather poignantly, the significant social and economic [costs](#) of injury and disease are increasingly borne by employees, their families and the broader community. This is reflected in the recent Queensland parliamentary inquiry and subsequent [Black Lung White Lies](#) report covering the resurgence of coal workers' pneumoconiosis. ¹⁶⁷⁻¹⁷⁶

Figure 2: Australian work health and safety strategy 2012-2022



Safe Work Australia

(Australian Work Health and Safety Strategy 2012-2022; p. 3)

Welfare or warfare?

Work related injury and disease undermines Australia's economic performance with a commensurate adverse impact on living standards. It imposes substantial direct and indirect costs on employers, employees and the community and its severity has a significant influence on who bears the cost. This was quite evident at many of the regional [public hearings](#) during the Queensland parliamentary inquiry into coal workers' pneumoconiosis. The direct costs include workers' compensation premiums and subsequent payments to incapacitated employees. Indirect costs consist of reduced productivity, provision of social welfare and rehabilitation programs, loss of current and future earnings and lost potential output. ¹⁷⁷⁻¹⁷⁸

Over recent years there has been a significant resurgence of black lung amongst coal miners in the [United States](#) and [Australia](#). This follows systemic government and industry failures, which include a [laissez faire](#) safety philosophy and pluralistic ignorance with a diffusion of responsibilities. It is compounded by unrealistic productivity demands that force miners to work extended shifts and longer rosters. Furthermore, cutting equipment is now more powerful and efficient and is used in coal seams containing quartz or sandstone, which increases exposure to [respirable crystalline silica](#). Since 1970, the United States government and its coal mining industry has reimbursed over [\\$45 billion in compensation](#) to black lung victims. ¹⁷⁹⁻¹⁸¹

In 1992-3, the [cost](#) of work related injury and disease in Australia exceeded \$20 billion and it was uniformly distributed between employers (40%), employees (30%) and the community (30%). The allocation of cost to specific agents is quite complex and extremely dependent on the outcome severity. It significantly increases for individuals, their dependents and the community if the consequences involve traumatic fatalities or serious injuries. ¹⁸²

More recent estimates put the cost at \$62 billion per year with a staggering redistribution amongst employers (5%), employees (77%) and the community (18%). This variation, despite a steady decrease in fatalities and serious injuries, is partly attributed to significant increases in average weekly earnings. However, descriptive statistics often conceal more than they reveal and correlation does not imply causation. Additional exogenous factors, which include rampant neoliberalism with its [laissez faire](#) doctrine, the [gig economy](#) and an unabashed worship of profit may be significant weapons in [Abaddon's](#) arsenal. It creates a [culture of cruelty](#) and complacency and social protection via welfare degenerates into warfare. ¹⁸³⁻¹⁸⁴

Regulatory capture

One of the necessary accompaniments of capitalism in a democracy is political corruption

Upton Sinclair ¹⁸⁵

Rampant and unfettered [neoliberalism](#) or [casino capitalism](#) has seen an alarming increase in [regulatory capture](#) and its symptoms are evident amongst several federal and state legislative authorities. It involves government oversight or ineptitude and occurs when a statutory agency or authority advances the commercial or political concerns of special interest groups that dominate the industry or sector it is charged with regulating. ¹⁸⁶⁻¹⁸⁹

A perception evolves where businesses receive preferences or benefits at the expense of the [crown](#) or public interest and the liaison appears unethical. Its tentacles extend far beyond the boundaries of government. Penetrating capture via intense lobbying has infiltrated the media, industry associations, unions and most independent peak representative bodies. It is also termed client politics and the majority of costs are invariably borne by the government, which cascade onto taxpayers and the community, whilst an elite cabal of powerbrokers, lobbyists, public serpents and career politicians reap substantial benefits. ¹⁹⁰⁻¹⁹⁵

Following the [global financial crisis](#), hardly a week elapses without an exclusive expose of malfeasance, turpitude or noncompliance with [good governance](#) and the principles of [corporate social responsibility](#). The miasma is evident across countless commercial and industrial sectors including aged care, building and construction, energy markets, financial services, franchising, health care, mining and mineral resources, retail, telecommunications, transport and waste recycling. ¹⁹⁶⁻²⁰³

The risk increases when regulators adopt conciliatory and cooperative approaches via persuasion and negotiation in preference to adversarial and punitive enforcement. Conflict of interest also arises if the government agency has a fundamental responsibility for the productivity and economic success of the regulated industry. This was raised during the public inquiry into the [Piper Alpha](#) oil rig disaster. [The Cullen report](#) recommended statutory responsibility for offshore safety be transferred to the [Health and Safety Executive](#). It would reduce [regulatory capture](#) risks and curtail the production versus protection dichotomy. The rig operator, [Occidental Petroleum](#) was found guilty of having inadequate maintenance and safety procedures but no criminal charges were ever brought against the company. ²⁰⁴⁻²¹⁰

Several recent high profile incidents in the United States have raised significant concern regarding performance of federal and state regulatory authorities and their unhealthy relationship with regulated entities. In 2010, following the [Upper Big Branch](#) underground coalmine explosion in [West Virginia](#), the state governor requested an independent investigation into the disaster. The report revealed the [US Department of Labor Mine Safety and Health Administration](#) failed to use its legislative power to ensure compliance with federal laws. Furthermore, the role of the state regulatory authority was repeatedly undermined and demoralised by the influence of [Massey Energy](#). This was accomplished via its brutal chief executive and corporate sociopath, [Don Blankenship](#), a former director at [Fluor Corporation](#), which was recently rewarded with a major [coal seam gas](#) project in Queensland. ²¹¹⁻²¹³

The [BP Deepwater Horizon](#) catastrophe resulted in multiple fatalities with the release of over 200 million gallons of oil into the Gulf of Mexico. Regulators provided select corporations with blanket exemptions for environmental impact statements and allowed many companies to drill without statutory permits. Industry lobbyists dismissed the disaster as an aberration and despite significant environmental risks, the regulator continued to issue exploration and drilling permits. It appears the agency had abandoned any pretense of regulating the industry and was complicit in the circumvention of legislation. The former BP executive [Tony Hayward](#), is now chairman with [Glencore](#), a resources conglomerate recently embroiled in a [mining agreement](#) and [money laundering](#) scandal and such egregious performances at least warrant an order of chivalry. [Regulatory capture](#) is prevalent throughout Alberta in Canada, which has vast [oil and gas reserves](#) and is the residential province of a former [neoliberal prime minister](#) and lobbyist for chrysotile asbestos. It is evident across [Australia](#) and was identified during recent parliamentary inquiries into [coal workers' pneumoconiosis](#). ²¹⁴⁻²³⁰

It occurs across every government structural level and creates a distortion gap. Major corporations capture federal authorities to oppose state policies whereas smaller businesses capture state governments and use federal delegates as its industry voice. It involves financial and cognitive capture and an ostensible risk emerges when statutory officials develop unhealthy relationships with its regulated entities. It is extremely difficult to prove, especially without a precise definition of public interest. The risk significantly increases in remote regions, where agency inspectors and their families share community and social services and develop informal relationships with industry leaders and lobbyists. ²³¹⁻²³⁵

Financial capture

This is referred to as materialist capture and is tantamount to [political corruption](#) and often financially motivated. It is normally employed by larger corporations through bartering of their vast resources. The regulator's logic is predominantly self-serving and often involves conflict of interest resulting in bribery with political donations and undisclosed gifts. It can also encompass employer sponsorship or funding of regulatory activities, which provides preferential access to policy making. This may occur due to insufficient government funding or when departmental budgets are ruthlessly slashed. ²³⁶⁻²³⁷

A well lubricated [revolving door](#) prevails with the frequent transfer of employees between statutory authorities and regulated entities. This was identified during the corrupt birth of [coal seam gas projects](#) in Queensland. Indeed, the [Queensland Resources Council](#) chief executive officer resigned amidst the coal workers' pneumoconiosis inquiry and was recently rewarded with a sinecure as a [WorkCover Queensland](#) director. Many regulatory authority inspectors were previously employed by major mining conglomerates in senior management positions or statutory roles such as site senior executives or open cut examiners. They are often aware of skeletons in the closet and know where all the bodies are buried. Unless dismissal was acrimonious, the disclosure of any irregularities would be extremely unlikely, especially if they were sanctioned during their tenure as a mining company employee. ²³⁸⁻²⁴⁹

In the United Kingdom, [Health and Safety Executive](#) board members are required to disclose conflicts of interest, which are published on its website. The risk of regulatory capture within the [European Agency for Safety and Health at Work](#) is quite low because its role does not include regulation, enforcement or inspection. However, a formal policy defines conflict of interest and establishes a robust framework to ensure it is managed effectively. It is supplemented by a breach of trust procedure. The agency director and executive team leaders must disclose declarations of interest and provide a summary of their resumes, which are readily available for public scrutiny. In Australia, there is little evidence covering declarations of interest on regulatory authority websites or in its annual reports. Indeed, a [Work Health and Safety Queensland](#) board member is the managing director of a large industrial consulting group. It supplies an extensive range of engineering services to the Queensland resources sector using interstate contingent labour hire. ²⁵⁰⁻²⁶⁰

Cognitive capture

This is also termed [non-materialist capture](#) and the regulator often embraces similar concepts to its regulated entities. It is more subtle than financial capture and involves capturing hearts and minds and extends much deeper to include the media, industry associations, unions and peak representative bodies. This is favoured by many smaller businesses with the use of [propaganda](#), underdog rhetoric and indoctrination tactics to promulgate a narrative of culpability, which advocates the careless worker myth. ²⁶¹⁻²⁶⁴

Major corporations engage cunning media liaison officers to sanitise release of information following significant incidents. [Pecksniffian](#) and irreverent campaigns focus on injury management, rehabilitation and often feature grieving dependents. It diverts attention and transfers [duty of care](#) onto victims to disguise or absolve employer [negligence](#) and protect its corporate image. The outcome is merely ephemeral and it has resurrected atavistic [accident theory](#), promoted [zero harm](#) and created a sinister revival of [behavioural safety](#). ²⁶⁵⁻²⁷¹

The [Safety Institute of Australia](#) is the national association for the health and safety profession. It advocates making a superior contribution to its vision for safe and healthy workers in productive workplaces, which is accomplished by providing expert advice and being a voice for the unique perspectives of its profession. It failed, somewhat miserably, to provide any submissions to the Queensland parliament [coal workers' pneumoconiosis inquiry](#) or the extended terms of reference covering [other occupational respirable dusts](#). Meanwhile, several of its bedwetting sycophants recently attended the [World Congress on Safety and Health in Singapore](#) to promote and embrace the concept of [Vision Zero](#). ²⁷²⁻²⁷⁶

The shameful response to coal workers' pneumoconiosis by the [Safety Institute of Australia](#) was discussed with its chief executive officer and raised at a Queensland branch meeting during the launch of its strategic plan. The proffered excuse was insufficient technical expertise, which hardly reflects or aligns with its policy agenda, vision or mission statement. This extraordinary explanation was most ironic given it operates a scheme for [certification of safety professionals](#) and its chairman was head of safety for a global mining and mineral resources behemoth. However, the [revolving doors](#) keep spinning like a casino roulette wheel and a current senior executive role at a major energy company is supplemented with a sinecure on the board of [Work Health and Safety Queensland](#). ²⁷⁷⁻²⁷⁹

The [Safety Institute of Australia Queensland](#) branch celebrated the 25th anniversary of its [Visions](#) safety conference in Toowoomba and not one presentation covered coal workers' pneumoconiosis. Indeed, there was no official representation at any of the Queensland parliamentary inquiry [public hearings](#), which were held regularly throughout 2016-17. The silence and collective inertia from its anonymous hapless bedwetters on this material risk resonates. It is not a voice for the unique perspectives of its profession, it is censorship by omission and redolent of cognitive regulatory capture.....*The opposite for courage is not cowardice, it is conformity. Even a dead fish can go with the flow.* ²⁸⁰⁻²⁸³

Mechanisms and prevention

[Regulatory capture](#) is a byzantine calumny that is simple to identify and categorise but quite difficult to prove. It is easily repudiated, elusive and rarely leads to any significant punitive action unless blatant political corruption is evident. It occurs via a labyrinth of complex processes, which include substantive legislation to favour specific business interests and self-serving biases with ideological motivated behaviour. Other damaging mechanisms, which can significantly increase the risk include insufficient government funding, ruthless budget cuts or ossification of statutory legislation. ²⁸⁴⁻²⁸⁸

The simple solution is deregulation, which is a radical response and lets the competitive market act as the regulatory barometer. This [laissez faire](#) tactic is unhealthy and can easily degenerate into anarchy. Its [Nihilistic](#) ideology is somewhat analogous with sanctioning the use of performance enhancing drugs in sport.....*If you can't beat 'em, join 'em.* It is critical that existing legislation be regularly reviewed to ensure it remains current, practical and effective.....*If you have ten thousand regulations on the statute, you destroy all respect for law.* The dilemma of responsive regulation and whether to punish or reward is discussed extensively by [Kolieb](#), who advocates a compliance and aspirational approach.

More recent developments include [nudge theory](#), which promotes [libertarian paternalism](#). ²⁸⁹⁻²⁹⁹

Modified work practices can reduce the risk and involve astute supervisory surveillance, staff rotation policies and consistent reporting of activities. Additional strategies include contract confidentiality clauses, non-competing agreements, declaration of interests and reinforcing agency values using effective communication protocols. This is critical in rural and remote regions, where the risk is much more significant. ³⁰⁰⁻³⁰²

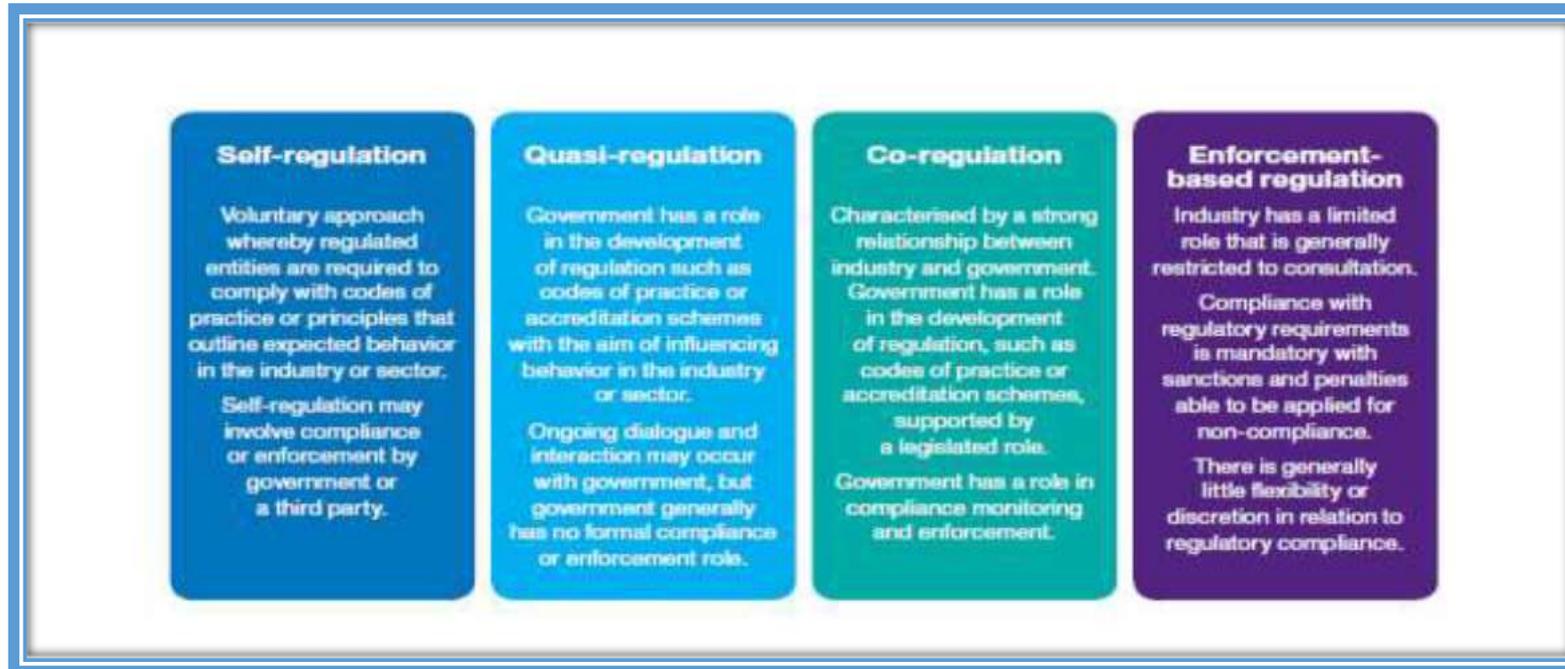
Regulatory capture is insidious because a captured agency wields the power and authority of government. Its pathogenic and symbiotic symptoms can remain undetected for prolonged periods. Disclosure is unlikely because it benefits statutory officials and the regulated entity. It is best addressed by anticipatory tactics, which promote **principle based leadership** and emphasise the responsibility and integrity of executives and senior managers. An extensive review of **regulatory capture** and preventive strategies is provided by **Warren** and **Croley**. Additional precautionary guidance is offered by the **Administrative Conference of the United States** and the **Australian National Audit Office**. ³⁰³⁻³⁰⁴

A question of balance

Effective **regulation** is a critical component of a functional and sustainable economy and can be defined as any rule endorsed by government, where there may be an expectation of compliance. It must be designed to protect public interest without imposing unnecessary costs on its regulated entities or the broader community. Regulation is an important tool for achieving the social, economic and environmental policy objectives of governments. It attempts to influence or compel an acceptable standard of behaviour by business or society, which often requires a collaborative response. Depending on the context and nature of the risks the regulatory scope can range from an enforcement regime to a self-regulatory approach, which is significantly influenced by the incumbent government (**Figure 3**). ³⁰⁵⁻³⁰⁸

The 1972 **Robens** report advocated self-regulation but failed to provide a precise definition or expand on the concept. In Australia the global intensification of **neoliberal** ideology has influenced its regulatory regime and since the late 1990s it has steadily deteriorated into deregulation. In 2013 the federal government advocated a commitment to **regulatory reform** with the aim of reducing the burden of regulation, boosting productivity and enhancing competitiveness, which was a smokescreen for deregulation. It coincided with the resources boom and stimulated a **race to the bottom** with a **laissez faire** doctrine. It favoured production over protection and is creating a **kleptocracy** with a substantial impact on work related injury and disease. Since 1993 the **allocation of costs** endured by employees has increased by a staggering 157% with a corresponding decrease of 88% for employers. This unhealthy alliance of state and corporate interests is a moral abrogation of responsibility and may also be a significant contributory factor in the resurgence of **coal workers' pneumoconiosis**. ³⁰⁹⁻³¹³

Figure 3: Regulatory responses



Australian National Audit Office - Administering Regulation: Achieving the Right Balance Better Practice Guide June 2014

(Figure 1.2 Range of regulatory responses p. 5)

https://www.anao.gov.au/sites/g/files/net3241/f/2014_ANAO%20-%20BPG%20Administering%20Regulation.pdf

Justice or retribution

The whole point of justice consists precisely in our providing for others through humanity what we provide for our own family through affection

Lactantius ³¹⁴

The enactment of legislation often receives intense public interest and media scrutiny. Its enforcement is as equally important because laws are effective only to the extent they are administered and will have an insignificant impact if conviction is unlikely. Substantial resources are devoted to the prosecution of indictable and other offences such as murder, assault, kidnapping, theft and burglary to deter criminal activity. It also provides victims with a degree of justice. Many argue that similar conditions should apply to corporations' law and safety legislation but it rarely happens. Regulators usually fail to pursue major organisations or their executives and convictions invariably result in derisory punishments with ash tray money penalties. This effectively provides conglomerates with a free rein to circumvent legislation and to deceive or mislead without suffering any serious consequences. ³¹⁵⁻³²⁰

The impact on victims is quite devastating and can prove fatal. Dependents are often neglected and left to rebuild their shattered lives from which many never recover. This failure to prosecute corporate behemoths or their executives following significant incidents has a corrosive effect on democracy. It undermines the foundations of society, especially the rule of law which is universally accepted as the benchmark of civilised nations. This protects the weak from the mighty and guarantees equitable justice. However, forcing corporations to compensate victims or the bereaved does not resolve the problem and certainly cannot reincarnate the deceased. Many advocates of a robust legal framework claim it generates efficiency but it has created a [Kafkaesque](#) bureaucratic monster and distortion gap. Markets left to their own devices accumulate power and wealth for an elite coterie rather than engender competition. The standard of justice is now determined by the amount you can afford, which is rapidly deteriorating for the majority of society amidst a toxic culture of [casino capitalism](#) with a winner takes all philosophy. Following any catastrophe, the quest for justice and performance of government and its regulatory authorities comes under intense scrutiny and justice delayed is often justice denied. This was evident during the tribunal of inquiries into the [Aberfan](#) and [Hillsborough](#) disasters in the United Kingdom. ³²¹⁻³²⁶

Aberfan

A recent [BBC News](#) documentary commemorated the 50th anniversary of the disaster as a mistake that cost a village its children. A thixotropic avalanche of tailings slid down a hillside and engulfed the Pantglas junior school. It resulted in the deaths of 116 children and 28 adults and wiped out a generation. Many more suffered physical injuries, which were superficial compared to psychological damage. The local chapel was used as a makeshift mortuary and death certificates were issued at the fish and chip shop across the road. [327-329](#)

The bitter aftermath was a saga of cruelty and indignity. Surviving infants had no childhood and were deprived of a formal education. Divorce rates, nervous breakdowns and premature deaths increased through alcoholism and use of anti-depressants. Pastoral care was stigmatised and viewed with stoic suspicion. Families became embroiled in a bitter legal battle to obtain money for their children's gravestones. Meanwhile, the disaster fund was plundered by the government to cover the cost of removing the remaining slag heaps. It was proposed that compensation claims be limited via proof of emotional proximity. The report following the prolonged tribunal of inquiry was unsparing and concluded.....*The disaster was a terrifying tale of bungling ineptitude and blame rests with the National Coal Board.* There were no criminal charges and none of its employees were demoted or lost their jobs.....*The past is a foreign country; they do things differently there.* [330-332](#)

Bridge over troubled water

Bridges are a fascinating and dynamic piece of [infrastructure](#) that link communities and open regions to opportunity. A successful collaboration between its architects, developers, construction companies, subcontractors and the public sector transforms the way people live and work. Several notable iconic [examples](#) include the [Sydney Harbour](#), [Brooklyn](#) and [Golden Gate](#) bridges and the aesthetic [Ponte Vecchio](#), which spans the Arno River in Florence and is the genesis of the economic concept of [bankruptcy](#) or broken table ([bancorotto](#)). [333-340](#)

Melbourne's [West Gate Bridge](#) may not hold such cultural significance although it carries almost 200,000 vehicles each day and provides a critical link between its central business district and the sprawling western suburbs. It also has the [unenviable stigma](#) as the scene of Australia's [worst industrial disaster](#), which involved the deaths of [35 workers](#) when its span collapsed during construction. [341-344](#)

Just before lunch hour on the 15th October 1970 the enormous structure began to creak and groan followed by a discomfiting cacophony of screeching metal and pinging steel. A squall of dust flakes peeled from its weathered steel girders, which acquired a peculiar caerulean blue tinge under the mounting stress and metal fatigue. Almost 2000 tons of concrete and steel plummeted into the Yarra River and crushed several occupied project construction sheds and crib rooms immediately beneath the span. An ominous rumbling sound rolled across the estuarine mudflats followed by a foreboding wail of sirens. ³⁴⁵⁻³⁴⁷

A Royal Commission was established to investigate the incident and after six months its subsequent report condemned the design, construction method and in situ foolhardy attempts to rectify misalignment of the span. This involved the use of kentledge or ballast consisting of ten concrete blocks with a cumulative mass of 80 tons, which were strategically placed on the span to reduce the gap. An imprudent and careless attempt to circumvent Newton's third law of motion precipitated severe buckling and compromised its structural integrity. ³⁴⁸⁻³⁵²

Rectification required the loosening of numerous steel bolts, which caused excessive slipping of several metal plates. Many remaining bolts became jammed and were subsequently tightened with an air gun until they snapped under tension, which released the broken stems. The radical and somewhat reckless solution exacerbated the situation and the buckling spread to upper outer panels. ³⁵³⁻³⁵⁴

Meanwhile, workers on the span experienced a gentle subsidence of the structure and the resident engineer arrived with an assistant to assess the situation and provide professional reassurance. This included a telephone call to the World Services and Constructions project office in Melbourne and their engineering representative was invited over to evaluate the deteriorating conditions. Minutes later the structure collapsed and plunged almost 50 metres into the Yarra estuary. The explosion of gas, eruption of dust and crash of mangled metal was heard several kilometres away and rocked the foundations of nearby buildings. Survivors clambered from the murky and muddy waters and those that were able to talk and walk began searching and calling out for their colleagues. It was time to comfort the crippled, the wounded and the maimed and let the grim reaper count the dead. A memorial plaque was paid for and erected by bridge workers and unveiled on the 15th October 1978 in honour of their deceased colleagues who left for work one morning and never made it home. ³⁵⁵⁻³⁵⁹

The report directed extensive criticism towards the fractious, antagonistic and often hostile relationships between a didactic [Freeman Fox and Partners](#) and the [Lower Yarra Crossing Authority](#) and several principal contractors. This was compounded by revoking the [World Services and Constructions](#) steel bridge works [contract](#) and its subsequent reallocation to [John Holland \(Constructions\)](#). Indeed, relationships are the foundation of accomplishment and the indeterminate roles and responsibilities had a resounding impact on industrial relations, especially on the west side of the span. The dreadful morale with [ineffective](#) leadership left cohorts of labourers wandering aimlessly across the site. ³⁶⁰⁻³⁶⁵

Almost [50 years](#) later the most significant change on major construction projects is the tyranny of bureaucracy. A kentledge of [red tape](#) is supplemented by [indoctrinating inductions](#) and a proliferation of personal protective equipment in an otiose attempt to demonstrate [due diligence](#). The carousel of culpability with its brutal gotcha culture cannot [secure](#) the health and safety of people at work. This was recently demonstrated via another [tragic incident](#) on a Melbourne construction site. It has also created escalating psychosocial risks, which are exacerbated and conveniently disregarded by asinine shibboleths such as [zero harm](#) and its unhealthy and exasperating pursuit of perfection. This may be a significant contributory factor in the extraordinary [suicide rate](#) amongst young construction workers in Queensland.....*Like a bridge over troubled water, I will ease your mind.* ³⁶⁶⁻³⁷⁴

Hillsborough

Much has been written about [Hillsborough](#) over the years and the subsequent campaign for justice received significant worldwide media attention. The disaster claimed 96 lives, including many teenagers and like most tragedies its occurrence was a coincidence of predictable circumstances happening unexpectedly. Indeed, it was perfectly foreseeable but nobody was looking.....*If something is possible it is only a matter of time before it happens.* The risk of multiple fatalities with volatile and congested crowds on dilapidated terraces was evident from the harbingers of death at several previous events and despite many modifications the stadium safety certificate had not been amended since 1979. The responsibility for reading and responding to the writing on the wall was ignored. A spectre of hooliganism diverted attention from the reality of derelict stadiums, inexperienced policing, unreliable crowd control and inadequate emergency response protocols. ³⁷⁵⁻³⁷⁹

The game was abandoned shortly after kick off and devastation soon emerged from the chaos. Supporters worked frantically with police and ambulance officers to retrieve the dying and injured and within minutes the scene resembled a Crimean battlefield. Many bodies were dragged from the terraces and placed on their backs in the goalmouth. Medical assistance was provided by a small team of noble volunteers, including five teenage cadets whilst survivors and police frantically attempted to administer basic first aid. A St. John's ambulance arrived carrying three stretchers and a further six were discovered in the stadium first aid room. A prompt and coordinated emergency response was required but failed to materialise when it was most needed. [380-381](#)

In addition to the fatalities, hundreds of men, women and children suffered injuries, which were superficial compared to the psychological harm. The saga of cruelty and indignity was merely beginning as disaster morphed into tragedy. It was exacerbated by insufficient pastoral care and the lingering pain of bereavement. The immediate and prolonged bitter aftermath demonstrated the failure of law with its deplorable breadth of judicial discretion that undermines many public inquiries following disasters. Despite the establishment of negligence by a tribunal of inquiry, coronial inquests returned contradictory accidental death verdicts. The treatment endured by the bereaved was primitive, especially the callous identification process in the stadium's dank gymnasium, which was used as a makeshift mortuary. During interrogation of bereaved dependents, police officers tucked into a fast food dinner of fried chicken and chips as victims lay nearby in zipped up body bags. [382-383](#)

The blame game was immediate and the coroner ordered blood samples to be taken from the victims for analysis, recording and publishing of alcohol levels. Many of them were children and it was an unprecedented decision with a hidden agenda. Later in the evening many police, including several senior officers retreated to the Niagara sports and social club bar and got plastered. The [fourth estate](#) was scavenging around like skulking hyenas. A false dichotomy soon emerged of embattled police attempting to control an uncouth and tanked up Scouse rabble. Meanwhile, the inhumane grilling of bereaved dependents continued in the makeshift mortuary beneath the stadium. A controversial scoop, [The Truth](#) appeared on the front page of a tabloid journal the following Wednesday.....*A lie gets halfway around the world before the truth has a chance to get its pants on.* [384-386](#)

The merciless and tactless deceit continued relentlessly and was inflamed by crass comments from government officials and the [Nottingham Forest](#) manager, an irreverent alcoholic. Substantive evidence was embellished and involved an astonishing systematic review and [alteration of police statements](#), which was sanctioned by the independent police investigation team and [Lord Justice Taylor](#). ³⁸⁷⁻³⁹¹

The bereaved families maintained tremendous resolve and dignity in the face of adversity as the law failed to provide appropriate means of access, disclosure or redress. Ordinary people suffered the consequences of institutional neglect and personal negligence for many years, whilst those in authority sacrificed truth and accountability to protect reputations. The families and their investigation team never gave up and eventually discovered the smoking gun. It exposed customary abdication of responsibility at every structural level. After 27 years an independent panel of inquiry found the victims were unlawfully killed in a tragedy caused by police blunders. It was announced that six people would face charges over the disaster including the match commander and former police chief. The [UK Home Office](#) spent almost £64 million covering the legal costs of the families during the inquiry. The verdict and subsequent prosecutions may provide some closure but it will not reincarnate the victims. The only parole for the bereaved is death or dementia and like so many disasters it could easily have been prevented.....*It was perfectly foreseeable but nobody was looking.* ³⁹²⁻³⁹⁴

A rising tide lifts all boats

In March 2011 the [USS Reagan](#) was part of [Operation Tomodachi](#), a humanitarian mission which involved numerous ships and aircraft and 24,000 US services personnel. It provided emergency response following the earthquake and tsunami near the [Tohoku](#) region of Japan on the [Miyagi](#) prefecture coastline. The [Nimitz](#) class nuclear powered aircraft carrier arrived off the coast shortly before dawn on 12th March 2011. Its crew of approximately 4,500 was exposed to a radioactive plume from stricken reactors at the [Fukushima](#) Daiichi nuclear power plant in [Okuma](#). Since the disaster, some have died and an epidemic of mysterious illnesses amongst many of its sailors and marines has emerged. It appears statistically significant rather than coincidental. [The Feres Doctrine](#) from the 1950s protects the US federal government from legal action for any injuries or illnesses sustained by its personnel during active military service. ³⁹⁵⁻⁴⁰⁰

Precise details of the events remain somewhat obscure but radiation meters on board the aircraft carrier confirm it was shrouded in the radioactive plume. However, its proximity to nuclear reactors and exposure levels vary considerably. Its desalinated water supply, which was used for drinking, cooking and bathing, was also contaminated. The vessel became a floating pariah and was denied access to ports in Japan, South Korea and Guam. Meanwhile, the silence from the US federal government and mainstream media has been deafening and censorship by omission prevails as the death toll escalates. The sicknesses include leukaemia, brain tumours, cancer and many other symptoms associated with radiation exposure. Delays in obtaining accurate information and contending with dehumanising bureaucracy are eerily familiar as the sailors struggle for justice. [401-402](#)

Concerns regarding exposure were flippantly disregarded by military top brass and victims were told the radiation levels were no worse than those experienced whilst flying or eating a banana. Class actions have emerged alleging negligence against many of the corporate brigands including [Tepco](#) and [General Electric](#). After seven years the cases are mired in legal wrangling, technicalities and delays. Many of the victims who were young and healthy embarked on a humanitarian mission and came out cooked. It is somewhat ironic that it occurred on board an aircraft carrier named after a president who once quoted.....*All the waste in a year from a nuclear power plant can be stored under a desk.* [403-404](#)

Pearly shells

Well before colonisation, [Broome](#) on the Kimberley coast in Western Australia was the centre of Australia's [pearl industry](#). It was once described by a [local historian](#) as a place where pearl shells matter more than [human life](#). This is reminiscent of a quote from a former [Liverpool Football Club](#) manager, the late [Bill Shankly](#).....*Some people think football is a matter of life and death. I assure you it is much more important than that.* [405-410](#)

Leading up to Christmas 2017, the official [Paspaley](#) website featured a series of beguiling advertisements and promotions. Exclusive customers were invited to a fashionable shop until you drop [extravaganza](#) at its chic Chadstone boutique in Melbourne's south eastern suburbs. This unique retail experience included complimentary champagne with popsicles and other sweet treats. It also afforded a wonderful opportunity to win a petite yellow gold lavalier containing a signature Paspaley pearl valued at almost \$4,000. [411-412](#)

Its flagship [boutique](#) located at Martin Place in central Sydney glowed with pearl inspired Christmas illuminations. The display was exclusively designed by internationally acclaimed lighting specialists [Haron Robson](#). Spherical lights were ornately arranged around the store's entrance to provide a luminous chiaroscuro for its sophisticated customers, who were greeted with.....*A very Paspaley Christmas.* ⁴¹³⁻⁴¹⁵

However, labouring at its aquaculture pearl farms or [shell drift diving](#) from vessels off the [Kimberley coast](#) is not for the meek or faint hearted. It offers a remarkably [stark contrast](#) to the glamour, opulence and decadence of the numerous boutiques seductively depicted on the official [Paspaley](#) website. The company [philosophy](#) guarantees to leave no footprint during its research and development of the fragile [Pinctada Maxima](#) oyster and advocates that every child deserves to be loved. The materialistic object is an Australian [south sea cultured pearl](#) , which is considered one of the most luxurious and magnificent baubles in the world and contributes to a several hundred million dollar industry. The Paspaley family [wealth](#) is estimated at \$915 million and the company is responsible for almost 70% of Australia's annual pearl production. ⁴¹⁶⁻⁴²²

The image of Western Australia's [pearling industry](#) appears somewhat romantic although an [elegiac](#) and clandestine ingredient to the production of its iridescent gems prevails. A patina of insatiable extravagance disguises a miasma of Dickensian [working conditions](#), which involves a dreary and repetitive routine of retiring early to bed and rising before dawn. The drudgery often begins with a deluge of seawater, entanglement in seaweed and bites and stings from copious [sea lice](#) or [copepods](#) before an arduous ten-hour slog. Many of the deckhands include vulnerable migrants or backpackers from youth hostels and are often engaged under [temporary migrant visas](#). Open water drift divers are usually hired from interstate and require a scuba diving [qualification](#) with rescue competencies. ⁴²³⁻⁴²⁹

In April 2012 approximately 90 nautical miles south of Broome in Western Australia, a qualified scuba diver died whilst [shell drift diving](#) for the [Paspaley Pearling Company](#). The divers are towed behind a trawler to collect wild pearl shells from the seabed and it is a particularly high risk underwater activity that affords little margin for error. They are supplied with diving equipment and other accessories, which include a harness, weight belt and compressed air line for breathing. ⁴³⁰⁻⁴³¹

On 13th April 2012 a crew of eight drift divers completed nine successful dives with each manoeuvre lasting approximately 50 minutes. During the eighth descent on the following day, Jarrod Hampton ascended prematurely and suddenly disappeared below the surface. The entire operation was aborted and the victim was eventually hauled aboard the vessel via his compressed air breathing line. Despite several prolonged frantic attempts at resuscitation the young pearl diver never regained consciousness. The victim's experience with open water shell drift diving was rather limited and involved attendance at an induction in Darwin supplemented by series of dives at a pearl farm near Broome. This was completed under the supervision of an experienced diver, shortly before the drift dive assignment. Nonetheless, there are several notable differences between open water and pearl farm diving. The techniques require specialist knowledge of distinctive dive profiles or tables to avoid decompression sickness. ⁴³²⁻⁴³⁸

The shell drift divers were not equipped with buoyancy compensators and although one vessel in the fleet stored several body bags, oxygen therapy equipment and defibrillators were not provided. There was no requirement for a dive supervisor to remain on deck and observe diving operations. Effective communication with the drift divers was inadequate, especially during an emergency situation. The crew did not rehearse rescue drills and procedures for retrieval of distressed divers were never documented. The inquest evidence indicates the victim may have been submerged for almost 20 minutes during the commotion following his unexpected ascent. It took over seven hours for the vessel to return to Broome with the deceased on board. It was met by police and the body was subsequently transferred to the state mortuary in Perth for a post mortem. Despite the fatality normal diving operations resumed a few days later and the harmonious partnership with nature continued. ⁴³⁹⁻⁴⁴⁴

The Paspaley Pearling Company was issued with six provisional improvement notices from the panjandrum at WorkSafe Western Australia and a prolonged investigation followed. It was quite a complicated exercise and required substantial regulatory authority resources. The company was eventually charged with failing to provide and maintain a safe working environment under the Western Australia Occupational Health and Safety Act 1984. Some three years later in October 2015, the organisation pleaded guilty at Broome Magistrates Court. The deceased's family attended the hearing and the Paspaley Pearling Company received a \$60,000 fine. ⁴⁴⁵⁻⁴⁵⁰

In May 2017 at the Perth Coroner's Court a coronial inquest returned a verdict of death by misadventure. The deceased suffered pulmonary barotrauma following an uncontrolled ascent. This resulted in a stroke or cerebral arterial gas embolism, which incapacitated the victim who subsequently drowned. Evidence during the inquiry failed to establish a causal nexus relating to the victim's premature ascent. The bereaved parents sought an inquest to discover the truth surrounding the circumstances of their son's death. Many concerns remain unresolved and some pertinent questions could not be answered.....*Justice delayed is merely justice denied.* ⁴⁵¹⁻⁴⁵⁴

The company has since provided additional safety equipment, competency based training and documented procedures. This may reduce the likelihood of further drift diving fatalities although the only parole for the bereaved is death or dementia. Meanwhile, the Paspaley website e-boutique offers a unique personal shopping experience. It features a luxuriant Rockpool Paraiba Collier containing one of the rarest gemstones on the planet. The object is valued at almost \$400,000 and each pearl is set with an ability to quiver and rest softly on the body. This pretentious corporate bilge ensures my footprints are unlikely to blemish any of its designer boutiques. Indeed, the germane lyrics from an old lullaby covered by the late Burl Ives resonate.....*Pearly shells from the ocean, shining in the sun, covering up the shore. When I see them my heart tells me that I love you. More than all the little pearly shells.* ⁴⁵⁵⁻⁴⁵⁹

Grenfell Tower

On 14th June 2017, the Grenfell Tower fire in the Royal Borough of Kensington and Chelsea in west London, claimed the lives of at least 71 people. It received extensive worldwide media coverage and the immediate aftermath exposed the brutality of rampant unfettered neoliberalism. The candle light vigils with ample assistance from the mainstream and antisocial media furtively and repeatedly reinforce that it was an unavoidable and horrific tragedy until.....*A lie told often enough becomes the truth.* Much like Aberfan or Hillsborough, there is never any closure. The psychological turmoil persists and the profound suffering and pain endured by the families and survivors is immense and immeasurable. Attempts to quantify the angst and despair with licentious offers of compensation merely fans the flames on the carousel of culpability. Birthdays, anniversaries and Christmas rekindle the grief and the only parole for the bereaved is death or dementia. ⁴⁶⁰⁻⁴⁶⁵

The independent [public inquiry](#) will inevitably become a [whitewash](#) and the adversarial process is already stacked against grieving dependents via carefully couched [terms of reference](#). This allows a politically [appointed](#) retired appeal court judge, Sir [Martin Moore-Bick](#) to finalise the sinister [social cleansing](#) process under a façade of justice. Questions from survivors must be submitted to the inquiry's legal counsel and will be scrutinised with the [chairman](#) to establish whether requests are appropriate. This limits interrogation of witnesses or subject matter experts who are called to provide evidence during the inquiry. An irresponsible [tyranny](#) of bureaucracy prevails over the people and any skerrick of justice, truth and accountability will be sacrificed to protect reputations. It is [censorship](#) by omission and renders the survivors and bereaved voiceless. It gets even more Orwellian with an injunction on discussing sociopolitical conditions. A significant contributory factor to the [disaster](#) was the cheap flammable cladding that embellished the tower, which is unsuitable for buildings over ten metres tall. It was merely installed for aesthetic reasons and is banned in several countries. The council could have purchased fire resistant material from the same company for an additional £2 per square metre. It was inspirational when the [Hillsborough](#) Independent Panel member, [Phil Scraton](#) recently declined an [OBE](#).....*States or corporations are not [moral](#) agents. It is people that impose ethical standards on powerful institutions.* Indeed, a patriot must always be ready to defend his country against its government. [466-478](#)

[Scapegoating](#)

Following fatalities a blame dichotomy frequently emerges with the inevitable quest for a scapegoat. It has its genesis in [Leviticus](#) and is evident in many tribal societies via lynch mob rule and eye for an eye ideology. The symptoms persist in contemporary society and are often expressed via social media in a futile quest for closure or retribution. The adversarial legal system with the benefit and bias of [hindsight](#), attempts to establish liability, which is a retrospective judgement of convenience and merely fans the flames on the carousel of culpability. Blame and [negligence](#) are social constructs, which express this primitive reaction and the next casualty is truth. Inquiries must be conducted by independent panels with a focus on prevention and the provision of prudential recommendations without apportioning culpability. Integrity thrives in such an environment, which engenders learning and trust and the victims are honoured with dignity.....*If you seek revenge dig two graves.* [479-484](#)

Gross negligence and industrial manslaughter

In Australia and overseas, [industrial manslaughter](#) prosecutions against corporations and their senior officers under [general criminal codes](#) have been [traditionally unsuccessful](#). The superior social status of directors or executive leaders often insulates them from indictable offences, significant penalties or custodial sentences. Indeed, establishing the conjunction of [actus reus](#) and [mens rea](#) amongst multiple individuals belonging to an anthropomorphic entity is [exceedingly complicated](#). Bereaved dependents, families and the media often express their dissatisfaction with the abject failure of the legislative framework, especially its inability to provide justice and act as a suitable deterrent. This places substantial pressure on state governments to implement industrial manslaughter offences. It requires legislation based upon the principles of [aggregation](#), [attribution](#) and an enigmatic concept of [corporate culture](#). This ensures the mental and physical elements of an offence can arraign senior officers and corporate entities although the act is not culpable unless the mind is guilty. [485-493](#)

In 2004 the Australian Capital Territory (ACT) introduced industrial manslaughter via its [Crimes \(Industrial Manslaughter\) Amendment Act 2003](#). Retaliation from the federal government was almost immediate with a bill that exempted [commonwealth employees](#) from its provisions. The legal fraternity and many academics are awaiting a test case to establish the value of industrial manslaughter legislation. In Canberra, the public prosecutor recently dropped charges against [Schwing Australia](#) after a construction site fatality in 2012. [494-496](#)

In April 2018, a crane diver was charged with [manslaughter](#) following the death of a construction worker at the University of Canberra public hospital in August 2016. There have been no successful prosecutions since the assent of this legislation and [Sarre](#) provides further discussion on its complexity and analysis of legal technicalities. [497-498](#)

In Queensland two horrific incidents involving six deaths during October and November 2016 attracted significant media attention and outrage from the general public. Four people were fatally injured on the [Thunder River Rapids](#) amusement ride at the [Dreamworld](#) theme park near Queensland's Gold Coast. The following month two labourers were crushed beneath concrete slabs on a construction site at [Eagle Farm](#) race track in Brisbane. Both events prompted a somewhat reactive and adversarial response from the [Queensland government](#), several commercial television stations, the press and other media outlets. [499-502](#)

A chthonic [minister for employment and industrial relations](#), an honorary fellow of the [Safety Institute of Australia](#), announced an [extensive review](#) of health and safety legislation to determine the effectiveness of existing arrangements. The [review](#) considered introduction of an industrial manslaughter offence and examined whether current penalties acted as a sufficient deterrent. The [final report](#) includes a schedule of persons and organisations who provided written submissions. However, this is somewhat disingenuous because no formal requests were ever issued by the government department. It appears the entire charade and political chicanery was merely designed to achieve a [predetermined outcome](#). ⁵⁰³⁻⁵⁰⁸

In October 2017 the Queensland government implemented the [Work Health and Safety and Other Legislation Amendment Act 2017](#), which includes provisions for the [indictable offence](#) of industrial manslaughter. This reactive and substantive legislation increases the risk of [regulatory capture](#) and favours specific business interests with self-serving biases and ideological motivated behaviour. It peddles more blame and fear and enervates any remaining skerrick of confidence in the existing [legislative framework](#). ⁵⁰⁹⁻⁵¹²

The [amendment legislation](#) disrupts and complicates [national uniformity](#) and is incongruous with the [Inter-Governmental Agreement](#) for regulatory and operational reform. [Harmonisation](#) is also a fundamental tenet of International Labour Organization [Convention C155](#) and an object of the [Queensland Work Health and Safety Act 2011](#) and [Model Work Health and Safety Act](#). The legislation may be inapplicable to the resources sector, which comes under the jurisdiction of the [Department of Natural Resources, Mines and Energy](#). It is somewhat inexplicable that it can apply to residential or commercial construction sites but may be inapposite on a coal mine or operating petroleum plant. Problems may also arise when it is applied to deaths from industrial diseases with prolonged latency periods. ⁵¹³⁻⁵²⁰

Indeed, there are currently over 120 confirmed cases of [mine dust lung diseases](#) and the victims continue to suffer whilst the [Black Lung White Lies](#) and [Rathus](#) reports accumulate dust. Meanwhile as the toll escalates, the Queensland government juggles with chain saws to protect its virtual pot of gold, which masquerades as a [workers' compensation scheme](#). Moreover, its [self-insurance](#) arrangements using [accredited auditors](#) failed to identify an [operational risk](#) of respirable dust in underground coal mines. The independent [JAS-ANZ scheme](#) using surveillance and recertification audits by [conformity assessment bodies](#) with certified auditors was as equally ineffective. ⁵²¹⁻⁵²⁸

The [amendment legislation](#) also contains provisions for the appointment of health and safety representatives and work health and safety officers. This will furnish many health and safety consultants and alleged training providers with a steady income via the delivery of mundane death by [Pierrepoint](#) rituals. Mandatory training requirements for safety representatives and appointment of safety officers is purely symbolic, especially after genuine independence and tripartite arrangements were relinquished under the [Safe Work Australia Act 2008](#). It may benefit many [certified safety professionals](#) and [registered training organisations](#) although any reduction in risk will be insignificant. The outcome will merely confirm course facilitators have a pulse and participants can scrawl their name on an attendance register. Much of this [cultural reproduction process](#) is superficial [single loop training](#), [rote learning](#) or [indoctrination](#). It places an extraordinary emphasis on legislation, antediluvian [accident theory](#) and [behaviourist](#) black box psychology. This undermines morality and confuses learning with metrics. It will eventually degenerate into a meaningless displacement activity, much like the general construction induction or [white card](#). ⁵²⁹⁻⁵⁴⁰

A miasma of materialist or cognitive [regulatory capture](#) and [revolving doors](#) shrouds the [moonlight state](#). This was identified following [extensive research](#) and [media investigations](#) into the corrupt birth of [coal seam gas projects](#). The merger of [state and corporate](#) interests and [Americanisation](#) of [Business Queensland](#) with its [unicameral](#) parliament is now far worse than under [Bjelke-Petersen's Mississippi Burning](#) regime....*Don't you worry about that*. Indeed, the names [Bellino](#), [Lyons](#) and [Murphy](#) featured prominently during the infamous [Fitzgerald Inquiry](#). Despite the subsequent purge, a rotten redneck stench of [corruption](#), [nepotism](#) and [skulduggery](#) lingers throughout the deep north. It is reminiscent of [Tammany Hall](#) politics, which dominated the New York political spectrum for almost 80 years. A current executive director with [Office of Industrial Relations](#) was a former walloper with that unimpeachable establishment of [moral rectitude](#), the [Queensland Police Service](#). This venerable sinecure witnessed the demise of its notoriously corrupt commissioner, [Sir Terence Murray Lewis OBE GM QPM](#) and a violent spate of motorcycle gang [turf wars](#). ⁵⁴¹⁻⁵⁵⁷

Governments are never more susceptible to committing acts of stupidity than when they are declaring an avowed intent to its electorate. Indeed, there is no empirical evidence industrial manslaughter legislation creates safer workplaces. Even the [Australian Industry Group](#) claims it is a counterproductive, shallow and imprudent exercise. The [Kafkaesque](#) bureaucracy is now matched by [Camusian Myth of Sisyphus absurdism](#). Anything that remotely jeopardises the [Adani Carmichael](#) project and its [race to the bottom](#) becomes a political hot potato. The [doublespeak](#) rhetoric flows incessantly and it is worth reiterating the [Cicero](#) dictum.....*More law, less justice*. ⁵⁵⁸⁻⁵⁶⁸

White lung

If there were no bad people there would be no good lawyers

Charles Dickens ⁵⁶⁹

Asbestos is a generic term for a naturally occurring substance that includes six **silicate** minerals with distinctive elongated fibrous crystals. The soft flexible fibres are easily extruded into a tensile fluffy material, which is resistant to heat, electricity and chemical corrosion and the product became synonymous with insulation. It was often admixed with other building materials to increase strength, resilience and durability. Its intrinsic properties, commercial availability and economic viability created **widespread** demand for an extraordinary material. Indeed, by the turn of the twentieth century many countries were mining vast quantities of the mineral to satisfy burgeoning requirements. ⁵⁷⁰⁻⁵⁷²

The air that I breathe

Asbestos was used for embalming in ancient Egypt and additional archaeological evidence suggests it may have been prevalent during the **Stone Age**. The Roman historian, **Pliny** described **slaves** using animal bladders as respirators when handling the material and they often became sick or violently ill and died prematurely. Asbestos was also prevalent in many fabrics during the **middle ages**. Its heat resistance was observed and noted by **Marco Polo** in Mongolia during the late 13th century. On a brief visit to England in 1725, **Benjamin Franklin** carried a purse made from asbestos fibres. It was a souvenir from a Russian sojourn, where white asbestos was mined under the helm of **Peter the Great**. ⁵⁷³⁻⁵⁸⁰

In the early 1800s, the substance was woven into Italian banknotes to make them fireproof and indestructible. It was also used to insulate helmets and uniforms and afford additional protection to firemen in the **Paris Fire Brigade** around middle of the 19th century. During the **industrial revolution** asbestos was highly esteemed and its use increased exponentially. Its distinctive properties were ideal for insulating boilers, steam engines, electric generators, ovens, ancillary vessels and pipelines. This created an unprecedented demand for the material and during 1879 commercial mining commenced at the **Jeffrey** mine near **Asbestos** in the Canadian province of Quebec. It was followed by similar operations throughout Australia, Russia, South Africa and the United States and by the turn of the 20th century, global production exceeded 30,000 tons. ⁵⁸¹⁻⁵⁸⁴

During the early 1900s, many [medical physicians](#) expressed extreme concern regarding occupational dust lung diseases or fibroses and it was reinforced via [alarming evidence](#) from United Kingdom factory inspectors. A British Royal Commission into asbestos related fatalities recommended better ventilation and additional preventive measures. This was supported by statistical reports from the [Prudential Insurance Company](#) in the United States, which established a compelling correlation between premature death and asbestos exposure. Indeed, many underwriters increased premiums or refused to insure organisations. Meanwhile, the [Johns Manville Corporation](#) became a global leader in the manufacture and supply of asbestos containing products. [585-588](#)

The first compensation [claim](#) for an asbestos related illness was accepted in [1927](#) by the Massachusetts Industrial Accident Board and many more were filed over subsequent years. The disease was formally described as [asbestosis](#) by British pathologist [William Cooke](#) and it established a [causal nexus](#) to inhalation of the toxic dust. Subsequent civil actions against Johns Manville, [Raybestos Manhattan](#) and many other manufacturers usually resulted in out of court [settlements](#), which were often protected via secrecy orders. However, documents from legal proceedings confirm executives often sanitised or redacted research reports and frequently suppressed information covering the toxicity of asbestos. [589-595](#)

During 1930, the [Merewether](#) report published by the British factory inspectorate provided substantive evidence of the associated risks with asbestos exposure. Additional medical research also confirmed the substance was carcinogenic. The Inspector of Factories and Shops in Western Australia reported on the potential health effects from asbestos exposure at a [James Hardie](#) manufacturing plant in Perth. Indeed, many public health officials and medical physicians mounted vigorous campaigns to prevent exposure but their valiant efforts were often vilified, disregarded or ignored. [596-597](#)

In the 1930s crocidolite deposits were discovered in the [Pilbara](#) region of Western Australia. The [Dreesen Standard](#) was established by US public health [authorities](#) to restrict asbestos exposure. It was merely a symbolic threshold limit and much like a public transport timetable it informs people the trains or buses are running late. Meanwhile, the fecund and venal [Lang Hancock](#) opened a primitive asbestos crushing plant at [Wittenoom](#) in North West Australia and the operations were eventually acquired by [CSR Limited](#) in 1948. [598-604](#)

During the 1940s the [Samac](#) laboratory in New York verified the causal nexus between asbestos and cancer although [Johns Manville](#) suppressed the report. Health hazards were identified at an asbestos mill near [Zeehan](#) in Tasmania and the first case of asbestosis was reported at [Wittenoom](#) in Western Australia. Excessive dust at this site generated serious concerns amongst statutory officials and atmosphere monitoring over several years revealed that levels regularly exceeded prescribed limits. Despite repeated warnings to corporate executives and senior management the [hazardous conditions](#) prevailed. ⁶⁰⁵⁻⁶⁰⁹

In 1950, the commissioner of public health in Western Australia expressed concerns to the state health minister and feared the consequences were far worse than silicosis. This was reinforced by a statutory mining engineer who was very critical about [inadequate ventilation](#) at Wittenoom and the corporate indifference towards statutory requirements. Regulatory authorities adopted the [Dreesen](#) exposure standard although the dust levels often exceeded prescribed limits. This prompted additional warnings, which were repeatedly disregarded by senior management. In the United Kingdom the toll from asbestos related fatalities reached 235 and additional deaths were recorded in Italy and France. ⁶¹⁰⁻⁶¹¹

During 1955 further irrefutable evidence from epidemiologist [Dr. Richard Doll](#) confirmed that asbestos fibres caused [lung cancer](#) and cigarette smoking exacerbated the condition. This was followed by the emergence of [mesothelioma](#) amongst [South African](#) and [Australian](#) asbestos miners. In the late 1950s an additional six cases of lung damage were recorded at the CSR Wittenoom site in the Pilbara region of Western Australia. ⁶¹²⁻⁶¹⁶

In the early 1960s UK statutory authorities implemented additional stringent controls and significantly reduced the asbestos dust exposure standard. However, the first fatality from [mesothelioma](#) was recorded in Australia and respiratory disorders amongst previous and current workers at CSR Wittenoom were rapidly escalating. The regional [council](#) became extremely concerned and believed excessive asbestos dust could threaten the health of tourists. Moreover, respiratory diseases at CSR Wittenoom exceeded the cumulative total from all other mines across Western Australia. This created condemnation from the federal government and declining asbestos prices also constrained productivity. Asbestos mining and milling activities at Wittenoom eventually became uneconomical and CSR ceased site operations on the [31st December 1966](#). ⁶¹⁷⁻⁶¹⁹

In Australia during the late 1960s amphibole [asbestos](#) was used as a [loose fill](#) insulator and pumped into the roof cavities of many houses in [Canberra](#) and [New South Wales](#). However, as knowledge about its toxicity emerged, unions commenced industrial action and banned its use on building and construction sites. During the 1970s, the toll from Wittenoom continued to escalate with the diagnosis of 175 asbestos related illnesses and 27 confirmed fatalities. The [Bulletin](#) magazine carried a [cover story](#) on the dangers of blue asbestos.....*Is this killer in your home?* ⁶²⁰⁻⁶²⁵

As the 1970s waned, asbestos use significantly increased and [imports](#) escalated. In 1977, union members throughout Victoria began industrial action over asbestos contamination in Melbourne's [Blue Harris](#) trains. The company insulating homes in Canberra and New South Wales with loose fill friable asbestos ceased operations. A married man who worked at CSR Wittenoom for over 12 years became the first mesothelioma victim to initiate [civil action](#). The writ was issued against a subsidiary company with the sanitised name of Midalco (formerly [Australian Blue Asbestos](#)). It had no significant assets, limited insurance and operated under the corporate veil of [CSR Limited](#). The plaintiff [died](#) before the case reached court and his widow terminated proceedings. ⁶²⁶⁻⁶³¹

[CSR Wittenoom](#) failed to understand the hazards associated with asbestos exposure and mitigate the risk. It eventually acknowledged its liability and [claims](#) from several [mesothelioma](#) victims were successful. However, its legal [team](#) often resorted to aggressive and premeditated procrastinating tactics. The toll continued escalating with more than 500 confirmed cases amidst forecasts that it may affect several thousand people. Back in Canberra the federal and territory governments developed strategies covering the removal of asbestos and restoration of properties involved in the [Mr Fluffy](#) loose fill asbestos home insulation catastrophe. ⁶³²⁻⁶³⁶

At the end of the 1980s the first of several major legal battles with [James Hardie](#) emerged. This involved several successful product liability and negligence verdicts, which opened the floodgates to an urban nightmare. During the late 1990s, amendments to legislation relating to dust diseases were enacted in New South Wales by [Bob Carr's](#) labour government. An extensive [public report](#) on chrysotile asbestos was also published via the [National Industrial Chemicals Notification and Assessment Scheme](#). ⁶³⁷⁻⁶⁴⁰

As the new millennium dawned, [James Hardie](#) faced increasing demands from unions to recognise statutory obligations and compensate incapacitated workers. Its recalcitrant response included extremely aggressive tactics supported by cunning political chicanery to circumvent accountability and protect existing assets. It was furtively supported by a brutal neoliberal federal government, which offered little solace or salvation to the terminally ill victims. Indeed, the [prime minister](#) extirpated the [National Occupational Health and Safety Commission](#) and deferred ratification of several critical International Labour Organization conventions. These included [Occupational Safety and Health Convention C155](#), [Asbestos Convention C162](#), [Occupational Cancer Convention C139](#) and [Safety and Health in Mines Convention C176](#). Servile assistance was readily provided by [Peter Reith](#), [Kevin Andrews](#), [Tony Abbott](#) and [Jeremy Ellis AO](#), a former BHP chairman acting as a lobbyist for the resources sector. ⁶⁴¹⁻⁶⁴⁸

In 2001 [James Hardie](#) established the [Medical Research and Compensation Foundation](#) and provided funding of almost \$300 million to cover future asbestos liabilities. However, the organisation covertly established a holding company, relocated to the Netherlands and bequeathed a compensation fund with a massive financial [deficit](#). A subsequent judicial [inquiry](#) in New South Wales was extremely critical of its actions. ⁶⁴⁹⁻⁶⁵²

Following a public outcry and intervention from the state government, the organisation was forced to renegotiate an equitable deal. [Greg Combet](#) was appointed as the lead negotiator and after several years of intense conflict a [settlement](#) was eventually reached. It included a \$4 billion dollar fund to fulfil obligations to incapacitated victims. The [prosecution](#) of several executives and board members followed and the legal struggle continues as James Hardie persists with attempts to circumvent accountability and protect its assets. ⁶⁵³⁻⁶⁵⁵

On the [31st December 2003](#) a nationwide ban prohibited the manufacture and use of asbestos and asbestos containing materials throughout Australia. A [national centre](#) was established in Western Australia for asbestos related diseases and on 28th January 2008, [Wittenoom](#) was legally classified as a contaminated site. ⁶⁵⁶⁻⁶⁵⁸

In January 2009, the [Asbestos Diseases Research Institute](#) was officially opened at Concord in New South Wales. The malfeasance and corporate turpitude from [James Hardie](#) was exposed by ABC journalist, [Matt Peacock](#). In Far North Queensland, [Cyclone Yasi](#) destroyed many fibro homes, which launched a media [campaign](#) to highlight the risks of asbestos exposure amongst the local community, emergency response personnel and humanitarian aid providers. ⁶⁵⁹⁻⁶⁶³

In 2012 the [High Court of Australia](#) ruled that seven James Hardie directors had breached their duties by approving the provision of misleading information to the [Australian Securities Exchange](#). An asbestos management review [report](#) recommended development of a national strategic plan to improve asbestos management and awareness amongst the broader community. ⁶⁶⁴⁻⁶⁶⁵

On the 1st July 2013 the [Asbestos Safety and Eradication Agency](#) was established to provide a national focus on asbestos issues. Its scope extends beyond workplace safety issues and encompasses public health and environmental risks. During 2014, the [Bernie Banton Foundation](#) established an [asbestos awareness](#) campaign, which provides extensive [information](#) about the associated risks. ⁶⁶⁶⁻⁶⁶⁹

Since the loose fill asbestos home insulation scheme began back in 1968, over 1000 properties in the Australian Capital Territory remain [contaminated](#). A [taskforce](#) was established to coordinate safe removal of the substance. However, a subsequent [report](#) recommended demolition, which commenced in 2015 and was considered the best solution given the significant potential [health risks](#). Meanwhile, the federal government launched a revised national strategic [plan](#) for asbestos management and awareness. ⁶⁷⁰⁻⁶⁷⁴

In New South Wales, following a joint select committee [inquiry](#), the government proposed a [voluntary purchase](#) and demolition [scheme](#) for affected properties in the surrounding regions. A [task force](#) was established to conduct a cost benefit analysis and demolition of homes in the Queanbeyan region commenced in January 2017. ⁶⁷⁵⁻⁶⁷⁸

There can be no doubt that [asbestos](#) has created a [public health](#) disaster and the lethal mineral has left a legacy of disease and misery in many workplaces and communities throughout the world. Even though the [manufacture and use](#) of asbestos was [banned](#) throughout Australia in 2003, it is often found in many older and heritage listed buildings. It is occasionally discovered in building materials and components of several [imported](#) products especially from countries such as Brazil, Russia, India or China. Australia has one of the highest rates of [mesothelioma](#) with 700 cases recorded during 2016 and an [increase](#) is inevitable given its inherent latency. Statistics indicate most cases involve males, who are exposed to [asbestos](#) during high risk activities. This includes building and construction, firefighting, shipbuilding and other industrial work.....*Sometimes all I need is the air that I breathe.* ⁶⁷⁹⁻⁶⁸⁷

Every breath you take

Asbestos is a generic, commercial and legal term that encompasses several types of mineral silicates. It is defined in the [US Asbestos Hazard Emergency Response Act 1986](#), which recognises six types of asbestos that are categorised as a serpentine or amphibole mineral. [Serpentine asbestos](#) consists of curly fibres that form structured sheets or layers of crystals. It is colloquially referred to as white asbestos and is the most frequently encountered form of the material throughout the industrial world. Its technical or scientific name is chrysotile, which is the only serpentine class of the mineral. [Amphibole asbestos](#) consists of fine needle shaped fibres and became commercially available as [amosite](#) (brown asbestos) or [crocidolite](#) (blue asbestos). Several other types of amphibole asbestos have been identified as contaminants in common minerals such as talc and vermiculite. [688-692](#)

[Chrysotile](#) or white asbestos was used in a wide range of building products and the US and Canada were major producers of this mineral. It was often contaminated with amphibole asbestos, which increased its toxicity. The material was used extensively in shipbuilding, especially during the Second World War for insulating boilers and lagging pipelines. It is commonly encountered in roof voids or ceilings and in the walls and floors of domestic and commercial buildings. The substance became synonymous with insulation and was also used in the manufacture of gaskets and automotive brake linings. [693](#)

Amosite or [grunerite](#) is a commercial term for [brown asbestos](#) and an acronym for asbestos mines of South Africa, where it is still produced and used for manufacturing cement sheets and insulating pipes. The material is occasionally discovered in gaskets, ceiling or roofing tiles, thermal insulation products and sometimes detected in insulating panels of high voltage electrical switch rooms. It is not as prevalent as white asbestos although it is significantly more toxic and increases the risk of contracting [mesothelioma](#). [694-696](#)

[Crocidolite](#) is a commercial term for blue asbestos, which was mined extensively throughout South Africa, Bolivia and Australia and regularly used to insulate steam engines. It has been found in casings of lead acid batteries, cement sheets, ceiling tiles, fire resistant panels and was even used in [cigarette filters](#). The extremely fine fibres can easily penetrate and remain inside lung tissue, which may be a significant contributory factor in many asbestos related diseases and fatalities.....*Every breath you take and every move you make.* [697-699](#)

[Anthophyllite](#) is also known as [azbolen](#) asbestos and is an exceptionally rare form of mineral. It was mined in Finland and Japan although commercial applications were very limited. The material was occasionally admixed with cement, rubber compounds and also used in roofing and insulating materials. It may have a grey, dull green or white appearance and has been identified as a contaminant in chrysotile asbestos and other minerals. [700-701](#)

[Tremolite](#) asbestos is hardly ever encountered in consumer products yet almost 35,000 tonnes of the substance is mined annually throughout [Rajasthan](#) in India. It is occasionally detected as a contaminant in roofing and insulating materials and has been discovered in paints and sealants. The fibres are normally white, green or grey and trace impurities have been identified in several domestic and commercially available products. [702-703](#)

[Actinolite](#) asbestos occurs as dark green crystals in metamorphous rocks or fibrous aggregates. Its texture is much less tensile than other forms of the mineral and it has never been a commercially viable product. Nonetheless, [evidence](#) of this mineral has been found in other forms of asbestos and incidental contamination may increase the risk of asbestos related illness. [704-705](#)

Low concentrations of naturally occurring [asbestiform](#) minerals have been identified in household cosmetics, pharmaceuticals and other commercial products such as talcum powder and vermiculite. More recently in July 2015, minute traces of asbestos were detected in several brands of imported children's [crayons](#) sold within Australia. [706-707](#)

Talc is an [extremely](#) soft mineral and an ingredient in many consumer products such as chalk, paint, rubber, ceramics and pharmaceuticals. It is used extensively in the manufacture of talcum powder and other personal hygiene products. Numerous [mesothelioma](#) class actions have emerged in the United States following use of [contaminated cosmetics](#). [708-709](#)

In September 2009, the US [Food and Drug Administration](#) organised a survey of [talcum powder](#) and other cosmetics in an attempt to quantify the risk. The investigation and analyses was subcontracted to [AMA Analytical Services](#) and no asbestos contaminants were detected. The results were not statistically significant and merely informative. Talc samples were received from only four suppliers and analysis was restricted to 34 cosmetic products. The findings were unable to guarantee all [talcum powder](#) and associated products currently marketed in the [United States](#) were likely to be free of asbestos. [710-714](#)

Vermiculite is a benign mineral, which is [exfoliated](#) to produce a light weight and buoyant material that is ideal for insulation, packaging and improving soil quality. Much of the vermiculite sold in the United States throughout the 20th century originated from mining operations at [Libby](#) in Montana. The product was heavily contaminated with tremolite asbestos and sold as an attic insulation product under the commercial brand name of [Zonolite](#). The speciality chemicals conglomerate [W. R. Grace](#) took over operations in 1963 and was fully aware of the [contamination](#) and associated health risks but remained [silent](#) and mining continued until 1990. Surplus vermiculite was distributed for landscaping playgrounds, gardens, nature strips and sports ovals.....*Nothing strengthens authority so much as silence.* ⁷¹⁵⁻⁷¹⁷

The desolation and deceit was eventually exposed by [investigative journalists](#) in 1999. It was declared a public health emergency and assigned to the Superfund [National Priorities List](#) by the [Environmental Protection Agency](#). The mine ceased operating in 1990 although the devastation was only disclosed about 10 years later. It gained [national attention](#) and intervention via the Environmental Protection Agency eventually followed. ⁷¹⁸⁻⁷²¹

In 2008 the company agreed to pay \$250 million towards [remediation](#) costs and by 2016 over 7,300 properties had been investigated. Restoration was completed at an additional 2,275 locations, which included abandoned processing plants, recreational facilities, schools, parks, playgrounds and many other contaminated public places. Several hundred sites still require rehabilitation and complete restoration will take many more years.....*It's easy to write the history. All the eyewitnesses are dead.* ⁷²²⁻⁷²⁶

An estimated 400 residents in the township have died and an additional 3,000 are suffering from [asbestos related](#) respiratory diseases. Many locals and former W. R. Grace employees filed lawsuits against the state and claim it failed to warn them about the risk of contaminated vermiculite. In 2011 a district court judge approved a [\\$43 million settlement](#) for more than 1300 plaintiffs. Another major compensation claim was awarded in January 2017, with over 1000 litigants receiving [\\$25 million](#). Montana agencies remain steadfast and claim the state had no legal obligation to issue any warnings about the risk of [asbestos contamination](#). The [corporate turpitude](#) was neatly summarised by [Andrew Schneider](#), an investigative journalist with the [Seattle Post - Intelligencer](#).....*Uncivil action: A town left to die.* ⁷²⁷⁻⁷³³

Another one bites the dust

The discovery of asbestos during the late 1880s coincided with rapid industrialisation and its unique properties made it a perfect material with unlimited [applications](#) and it was commonly used as a fire retardant in timber buildings. During the 20th century asbestos was prevalent in almost every [industrial environment](#) across Australia and was particularly common in manufacturing facilities, [power generation plants](#) and [transport](#). It was used in a wide variety of applications as cladding, coating, lagging, cloth, rope, mattresses and fibreboard and was also admixed with cement and used as a building material. ⁷³⁴⁻⁷³⁷

It is occasionally discovered in the roofing and exterior or interior panels of many older dwellings, schools and hospitals, especially those constructed before the mid-1980s. Indeed, the material became synonymous with insulation and was frequently used inside electrical switchboards, switch rooms, substations and distribution panels. It was adopted throughout the [marine industry](#) as lagging inside boiler rooms and for insulating auxiliary pipelines on board vessels. During the 1950s its use increased exponentially to meet the demands of a post war housing boom. The composite materials were manufactured in Australia by the acolytes of Apollyon, which included [James Hardie](#), [CSR](#) and [Wunderlich](#). Their products were usually promoted as sensational building solutions and aggressively marketed using [hidden persuaders](#). Asbestos was a component in the structural features of many housing commission properties throughout western Sydney and the eastern suburbs of Perth. ⁷³⁸⁻⁷⁴²

Its increasing availability and popularity extended to the construction of many public and civic buildings throughout the 1970s and asbestos containing products inundated the Australian [occupational environment](#). It was driven via increasing demand from impulsive consumers and supplemented by product diversification from manufacturers and suppliers. Many tradespersons and assistants were [unaware](#) of the asbestos content and oblivious to the associated risks, especially its latent and potentially fatal consequences. Exposure to the substance frequently occurred during refurbishment and replacement of external and internal building panels. This often required cutting, grinding, drilling and sanding of asbestos containing materials. The [imports](#) of asbestos fibre and consumption of associated products did not peak until the mid-1970s and the potentially devastating consequences can only be estimated. ⁷⁴³⁻⁷⁴⁵

In Australia, initial exposure to the substance in an occupational environment involved the mining, milling, stevedoring and logistics supply chain sectors. Labourers frequently handled the raw material at remote [mining](#) sites and during transit to manufacturing and extrusion plants across Australia. Major mining operations included [Wittenoom](#) in the Pilbara region of Western Australia, [Woodsreef](#) on the northern tablelands of New South Wales and [Baryugil](#) near Grafton. Employees at these sites and the local communities often tolerated prolonged exposure to asbestos dust. The material was imported or delivered to regional ports and handled by stevedores during the loading and unloading activities. Conditions at [Point Samson](#) wharf in the Pilbara region of Western Australia were described as somewhat primitive. This involved frequent manual handling of unlined hessian bags amidst clouds of asbestos dust without adequate ventilation or suitable personal protective equipment. ⁷⁴⁶⁻⁷⁵⁰

Manufacturing facilities were established in most state capitals across Australia to meet the demand of a post war housing construction boom. Suppliers offered an extensive range of asbestos containing materials, which included fibreboards, pipes, cement sheeting and other building supplies. Asbestos was also used in automotive [brake and clutch](#) assemblies, which were manufactured for almost 50 years by [Bendix Mintex](#) at its [Delacombe](#) factory near [Ballarat](#) in Victoria. ⁷⁵¹⁻⁷⁵⁴

The manufacturing arena was dominated by [James Hardie](#) and several other companies including [CSR Limited](#) and [Wunderlich](#) and their employees were often exposed to asbestos dust. Mitigation strategies invariably encountered resistance and an insouciant response from senior management. [Corrective actions](#) were typically indolent and their ineffectiveness was usually concealed via superficial compliance and enforcement protocols. ⁷⁵⁵⁻⁷⁵⁸

In the mining and manufacturing sectors most employers, employees and contractors were unconcerned about the insidious and dormant aspects of asbestos dust exposure. The associated risks were usually disregarded, which inevitably generated a [preliminary surge](#) of asbestos related diseases. This included asbestosis that developed relatively soon following initial exposure. In some cases it caused lung cancer and [mesothelioma](#), which has an extended latency period and symptoms only emerged after several decades. The disease has also extended to immediate family members and dependents, who were particularly vulnerable when [washing overalls](#) and other garments contaminated with asbestos dust and fibres. ⁷⁵⁹⁻⁷⁶¹

Following mining and manufacturing of asbestos many employees were [exposed](#) to its fibres and excessive dust. This frequently occurred during the commissioning, maintenance and service of plant or equipment supplied with asbestos containing materials. It encompassed, [power generation](#), [rail maintenance workshops](#) and shipbuilding or repairs. Fibreboards, sheets, tiles, pipes and conduits required drilling and cutting and were often assembled in situ, which generated excessive amounts of dust. Boilermakers, electricians, carpenters, gasfitters, plumbers, trades assistants and other workers performing incidental activities were particularly vulnerable. This typically involved the installation or refurbishment of high voltage switchboards, lagging of vessels and ancillary pipelines in boiler rooms and [acoustic treatment](#) of walls and ceilings inside buildings. Asbestos [insulating sprays](#) were quite common and several products were used extensively throughout construction of the [World Trade Centre](#) in Manhattan during the late 1960s. The current [US legislation](#) allows up to 1% by weight of asbestos in products. However, before the early 1980s products could contain between 5% and 50% of asbestos fibres. Many of these commodities were manufactured by [W. R. Grace](#), the company involved in the contaminated vermiculite catastrophe at [Libby](#) in Montana. [762-770](#)

Asbestos was used extensively over many decades throughout many power stations across the [Latrobe Valley](#) in Victoria. It was ideal for absorbing the extreme heat generated during electricity production. Bags of dry asbestos were mixed with water in large open vessels to prepare a paste, which was manually applied to boilers, turbines and ancillary equipment. [Laggers](#) and their assistants were frequently shrouded in clouds of dust and exposed to significant amounts of asbestos fibres. The employer did not provide any personal protective equipment and no warnings were issued about its inherent toxicity. [771-772](#)

Over 140,000 power station employees were exposed to asbestos between the 1920s and 1980s. The legacy is evident via the [mesothelioma](#) incidence rate, which is seven times the state average. In 2008, the [state premier](#) issued a formal apology to the casualties and their dependents. It acknowledged the pain and suffering and recognised that victims deserved access to provisional damages. Back in 1992 a former neoliberal premier, [Jeff Kennett](#) deviously abolished [common law](#) rights of incapacitated employees. This was eventually [repealed](#) by a labour government during the tenure of [Steve Bracks](#) although several retrospective restrictions applied. [773-778](#)

Similar primitive conditions were described at [East Perth](#) power station in Western Australia, where enormous quantities of asbestos containing products were used to insulate steam driven generating plant and equipment. It was an [asbestos](#) time bomb in a very hot, dirty and extremely noisy environment. The activities often involved removing and replacing [asbestos lagging](#) during routine maintenance and random repairs. Many workers were unaware of the hazardous conditions and preventive action only occurred during the 1970s, shortly before the power station was decommissioned and finally shut down in 1981. Several employees became victims of asbestos related diseases, including [mesothelioma](#) although establishing the precise number of casualties was almost impossible. Health surveillance and screening protocols were never organised and medical diagnostic facilities were unavailable. However, the inherent latency period and epidemiological studies indicate the toll of asbestos related diseases amongst [former employees](#) is likely to escalate. ⁷⁷⁹⁻⁷⁸³

Significant exposure to asbestos fibres also occurred during refurbishment of locomotives at the state government [rail maintenance workshops](#) in Midland, east of Perth. The regime was rather primitive and involved stripping engines and removal and replacement of weathered asbestos mattresses or blocks that insulated locomotive boilers. Rolling stock would arrive at the maintenance workshop bays each week and revamping would generate clouds of white or blue asbestos dust. Many of the fitters, mechanics and their assistants were unaware of its toxicity and often emerged covered in the material. Respiratory protective devices were never used and natural ventilation was considered adequate. The asbestos residues were merely shovelled into wheelbarrows and dumped in the [immediate surrounds](#) to await some unsuspecting landscape contractors. ⁷⁸⁴⁻⁷⁸⁵

Other potential sources of exposure include mechanics in local government workshops and automotive repair garages. Brake and clutch [systems](#) in many fleet vehicles and private cars often contained asbestos products. Repair and maintenance would inevitably result in exposure to [asbestos fibres](#) and mesothelioma symptoms could manifest many years later following the initial exposure. The unique properties and availability of asbestos ensured its use became widespread across a diverse range of applications and in many products. Its subsequent acute and chronic health effects following exposure were often ignored and another [stream](#) of asbestos related diseases including asbestosis and mesothelioma has emerged. ⁷⁸⁶⁻⁷⁸⁸

During the 20th century [asbestos](#) was prevalent in almost every Australian home. Many fibro houses were built using the material. It was also a component in some domestic appliances and even appeared in several consumer goods. The laity was invariably nonchalant about the substance, especially friable asbestos and many were unaware of its inherent toxicity and the potentially lethal health effects following exposure to its fibres. It was admixed with cement and became an extremely popular [building material](#) during Australia's post war housing construction boom and featured in almost 20% of housing stock. [789-790](#)

The construction of [fibro dwellings](#) was usually restricted to lower socioeconomic regions, especially throughout [New South Wales](#), [Western Australia](#) and the Northern Territory, which included many housing commission properties. Asbestos cement sheets and fibreboards were also used in more [affluent suburbs](#) for home improvements during the construction of sheds, garages, home extensions and fencing. Many of the occupied properties have aged and weathered to expose asbestos fibres, which has created a significant public health risk. Home renovations, refurbishments and demolition significantly increases the likelihood of releasing fibres into the immediate surrounds. Moreover, tracking [waste disposal](#) is quite a complex exercise, especially amongst environmentally conscious building and construction contractors. [791-795](#)

Asbestos residues from mining and milling operations were often used for [grading](#) access roads and driveways. Mine tailings at [Wittenoom](#) in Western Australia were used as a suppressant for red dust. Waste material was dispersed around playgrounds, schools and kindergartens much like the contaminated vermiculite at [Libby](#) in Montana. Asbestos was usually supplied in unlined [hessian bags](#), which were eventually recycled for fertiliser deliveries or used as [underlay](#) for domestic and commercial carpets. Its lethal legacy has extended throughout many urban and rural communities. [796-800](#)

Asbestos was also used to insulate [domestic appliances](#) including electric blankets, oven mitts, stove mats and hairdryers. Many tradespersons remain nonchalant about the potential health effects and it has generated another [wave](#) of asbestos related diseases, which are often diagnosed as [mesothelioma](#). Most of the victims are usually unaware of how and when exposure occurred. The incidence rate is unlikely to peak until the second decade in the new millennium.....*And another one gone and another one gone and another one bites the dust.* [801-804](#)

On the turning away

Substantive evidence indicates asbestos has caused a [public health](#) disaster and the lethal mineral has left a trail of misery and suffering. The impact in the occupational environment where it was mined, milled and manufactured has been devastating. Its use extends to public buildings, schools and [homes](#) and it is often found in [building materials](#) and domestic [appliances](#). There are many [asbestos related diseases](#), which include [asbestosis](#), [lung cancer](#) and [mesothelioma](#). If asbestos dust is inhaled, its fibres can penetrate the respiratory or digestive tract. Many are excreted naturally although some become entrapped and cause irritation, inflammation, pleural effusion and even genetic damage. ⁸⁰⁵⁻⁸¹²

Asbestosis can occur within ten years following the inhalation of excessive amounts of asbestos dust or fibres. It can result in extensive tissue damage or [atelectasis](#), which inhibits normal expansion and contraction of the lungs. Other symptoms include [pulmonary fibrosis](#) and pleurisy that creates severe chest pain and impairs breathing. [Mesothelioma](#) has an extended latency period and usually develops in the pleural or abdominal membranes. There are several [types of mesothelioma](#) and it is the only cancer exclusively attributed to asbestos exposure. ⁸¹³⁻⁸¹⁶

The most common form of the disease is [pleural mesothelioma](#), which occurs when trapped asbestos fibres irritate pulmonary membranes. This causes chronic inflammation, genetic mutations and the cells eventually become cancerous. [Malignant tumours](#) usually develop on either layer of the respiratory lining and can multiply aggressively to surround the pleural membrane. The condition typically affects elderly males and [life expectancy](#) following diagnosis is usually less than 18 months. ⁸¹⁷⁻⁸¹⁹

[Peritoneal mesothelioma](#) is less prevalent and damages the peritoneum or abdominal membrane. Asbestos fibres reach the abdomen directly by ingestion or via inhalation and indirectly through the lymphatic system. The [symptoms](#) include abdominal pain and distension which are often accompanied by constipation or diarrhoea. It accounts for less than 20% of mesothelioma cases although patients generally live four times longer than pleural mesothelioma victims. [Pericardial](#) and [testicular](#) mesotheliomas have been identified but are extremely rare and recent studies have linked asbestos exposure to [ovarian](#) and [laryngeal](#) cancer. ⁸²⁰⁻⁸²⁵

In the United States, occupational [exposure](#) is the most significant cause of asbestos related diseases and despite enactment of legislation in the 1970s, incidence rates have remained constant. Almost 200,000 Americans are diagnosed with asbestosis annually and there are approximately 15,000 fatalities from asbestos related diseases. Additional statistics from the [National Cancer Institute](#) indicates up to 3,000 people are identified with mesothelioma each year. The [diagnosis](#) of asbestos related diseases is quite complex and includes an extensive range of diagnostic tests such as X-rays, medical imaging, blood tests and biopsies. It requires aggressive and radical [treatment](#) involving transdisciplinary specialist techniques, which include surgery, chemotherapy, radiation and immunotherapy. [826-829](#)

Most of the victims diagnosed with asbestos related diseases endure a significant amount of unnecessary suffering and an extremely painful death. Extensive [legal resources](#) are often engaged to diffuse and defuse any civil action and compensation claims into divisive and harmless channels of impenetrable bureaucracy. This [corporate turpitude](#) is bereft of any salvation or compassion and is tantamount to androicide. Meanwhile, brutal socially autistic psychopaths are appointed to maximise profit at the expense of their employee's health and welfare. Servile mercenaries provide ample support and often slither and weave to protect reputations and avoid accountability. It has been replicated over many years by repeated duplicity and skulduggery from many [corporate behemoths](#). This is evident in many of the callous and inhumane [comments](#) from executive leaders at [Raybestos Manhattan](#), [Bendix](#) and [Johns Manville](#) during their fulminations about asbestos and its potentially lethal health effects. Moreover, the following quote from [Charles Dickens](#) resonates....*If there were no bad people there would be no good lawyers.* [830-837](#)

Australia has witnessed several successive [waves](#) of asbestos related diseases and the scourge was initially confined to mining and manufacturing sectors. It has since extended into many communities and become a significant public health risk. The improbity from [CSR Limited](#) at Wittenoom and more recently [James Hardie](#) was and remains deplorable. Both organisations embarked on a ruthless mission to evade accountability, socialise loss and minimise billion dollar liabilities as the [death](#) toll soared. [Meredith Hellicar](#), a former senior executive at James Hardie, may wish to reflect on some pertinent lyrics from a [Pink Floyd](#) classic.....*Don't accept that what's happening is just a case of others' suffering or you'll find that you're joining in the turning away.* [838-843](#)

Mr Blue \$ky

The [Karijini](#) National Park in the Pilbara region of Western Australia is an impressive tourist destination surrounded by enchanting ochre escarpments with deep intermingling emerald green gorges. However, the spectacular scenery disguises a miasma of broken dreams and sorrow, which shrouds its adjacent [ghost town](#) at [Wittenoom](#). It has achieved notoriety as a harbinger of death and disease through reckless mining and milling of [crocidolite](#) over many decades. ⁸⁴⁴⁻⁸⁴⁷

During 1937, [Lang Hancock](#) from the neighbouring pastoral station at [Mulga Downs](#) began primitive blue asbestos mining and milling activities at [Yampire Gorge](#). Many unemployed and vulnerable migrants flocked to the region and were callously deceived and exploited by a fecund and socially autistic moneygrubbing mercenary. The [conditions](#) were appalling and many itinerants slept in tents almost a kilometre from the mine. Senior supervisors and other employees were offered basic accommodation via a dozen neighbouring cabins. The entire venture was a [filthy](#) hellhole and almost 200 peons were betrayed by a beguiling ruthless charlatan. The operations were eventually acquired by [Australian Blue Asbestos](#), a subsidiary of CSR Limited but the inhumane Dickensian conditions prevailed. ⁸⁴⁸⁻⁸⁵³

The mine consisted of several stopes and a crushing plant. Miners crawled along narrow tunnels in stifling heat amidst clouds of [choking asbestos dust](#) without any ventilation or respiratory protective equipment. It took almost 20 years before miners were provided with a suitable supply of fresh air. The ore was transferred via an open topped conveyor to the crushing plant, where it was pulverised and blue asbestos fibres were extracted from the residue. Mill operators worked extended shifts amongst swirling dust clouds and portable floodlights were installed to increase visibility, even during daylight hours. ⁸⁵⁴⁻⁸⁵⁵

The finished product was [transported](#) in unlined hessian or jute bags via open topped trucks to [Point Samson](#). It was stored in warehouses and manually loaded onto ships for distribution to local or overseas manufacturing facilities. The post war housing construction boom created an increasing demand for building materials and the company with assistance from the Western Australia state government provided additional infrastructure and established a township at [Wittenoom](#). It was supported by an inhumane [federal government policy](#) and compulsory relocation scheme for unemployed migrants. ⁸⁵⁶⁻⁸⁵⁹

Production significantly increased to meet global and domestic [demands](#) and the population swelled to almost 20,000. This consisted of itinerant employees, service providers and their families, which included almost 4,500 children. A rock hole in the river flowing through a nearby gorge became the local [swimming pool](#) and mine tailings were used to create a beach and sandpits for children. [Waste asbestos](#) was used for landscaping parks and gardens, school playgrounds and parking lots around the town. Other innovative applications included the grading of access roads and footpaths. It was also used for maintaining the local racetrack and green keeping at the golf course. [860-862](#)

The prevailing conditions hardly improved although exposure significantly increased and it merely became a matter of time before serious health effects emerged. Over 2,000 former employees and residents at [Wittenoom](#) died from asbestos related diseases and the toll will almost certainly escalate due to an inherent latency period. The incidence rate for malignant [mesothelioma](#) in Australia is a significant [public health issue](#) and epidemiological [studies](#) suggest up to 750 cases will be identified each year. The consequences could be even more serious because many itinerants returned to their country of origin and the subsequent health effects are unknown. [863-866](#)

It is incontestable that the company and governments were aware of the associated health risks. Even before the 1930s, an indisputable body of scientific [evidence](#) verified a causal nexus between asbestos exposure and respiratory diseases. A federal government health department publication from 1922 identified asbestos work as a [hazardous occupation](#). Indeed many [migrants](#) were allocated to the Pilbara region under a federal employment scheme and effectively sent to the gallows. [867-869](#)

The appalling [conditions](#) at [Wittenoom](#) were initially raised by Dr. Eric Saint from the Royal Flying Doctor Service back in 1948. These were reiterated to senior management during [site visits](#) in the late 1950s by [Dr. Jim McNulty AO](#), an occupational physician with the state government health department. It was followed in 1961 by a stern letter from [Dr. Bruce Hunt](#), a specialist from Western Australia, to the company physician [Harry Maynard Rennie](#). However, the organisation threatened to cease its operations if statutory restrictions were applied. The government under its liberal premier [Sir David Brand](#) and resources minister, [Sir Charles Court](#) offered no resistance and capitulated.....*All that is necessary for the triumph of evil is that good men do nothing.* [870-878](#)

Despite repeated warnings the recklessness continued unabated and the devastating consequences soon emerged. A [thoracic physician](#) at [Sir Charles Gairdner](#) hospital in Perth was astounded by escalating respiratory diseases amongst former Wittenoom employees. A succession of acrimonious [legal battles](#) was inevitable and a lawyer's picnic opened in courthouses across Australia during the 1970s. The beguiling sludge on CSR's [website](#) bequeaths a consciousness of [corporate social responsibility](#) but the company's acronym is the only skerrick of evidence. Social licenses to operate are a patina of mendacity underpinned by a festering culture of deception. This was reflected via an adversarial and amoral internal memo from [Norman Irving](#), the CSR personnel manager back in 1977.....*Even if the workers die like flies, they will never be able to pin anything on CSR.* ⁸⁷⁹⁻⁸⁸⁴

Civil action against [CSR](#) from former Wittenoom employees began in the 1970s and the organisation relied on an enigmatic [corporate veil](#) to evade accountability and minimise its [liabilities](#). The company name was sanitised to Midalco (formerly Australian Blue Asbestos, a subsidiary of CSR). It was discreetly stripped of any significant assets and provided with minimal insurance cover. The legal process was quite complex and involved penetrating an intricate labyrinth of corporate deception and establishing a [causal nexus](#) between [asbestos exposure](#) and mesothelioma. After several prolonged battles a [pyrrhic victory](#) emerged via the [Heys and Barrow](#) case, which established a [legal precedent](#). The defendant's legal team adopted a brutal scorched earth policy and ruthlessly exploited the plaintiff's limited life expectancy. Despite the botox, haute couture and [Kallis pearls](#), an illegitimate [daughter](#) of Satan with about as much compassion as [Myra Hindley](#), resorted to inhumane delay, deny and die [tactics](#). These [sociopathic traits](#) usually include the fleeting promise of sex really soon and were reflected in subsequent dalliances with numerous flamboyant racing identities, except [Nathan Tinkler](#) or [Clive Palmer](#). One erstwhile [paramour](#) and [politician](#) breached [legislation](#) by referring to indigenous Australians.....*As the most primitive people on Earth.* During one parliamentary sojourn the [senator](#) admitted concealing a .38 calibre pistol amidst allegations of smuggling almost \$25,000 into Iraq on behalf of energy resources giant, Woodside Petroleum. He was also pictured toting an [AK47](#) assault rifle amongst Kurdish militants. In 2007, the uncouth malapert was replaced in the senate by a former [mistress](#), the harridan [minister for jobs and innovation](#) and retired from politics in 2008.....*Qui cum canibus concumbunt cum pulicibus surgent.* ⁸⁸⁵⁻⁹⁰³

It was the late firebrand Welsh politician [Nye Bevan](#) who described politics as a [blood sport](#) but the elected representatives provide plenty of ammunition. In 2011, [Barnaby Joyce](#), [Julie Bishop](#) and [Teresa Gambaro](#) received an exclusive invitation from [Gina Rinehart](#) at [Hancock Prospecting](#) and her business partner [Dr. G V K Reddy](#). A company private jet flew the trio to the lavish wedding of [Mallika Reddy](#) in Hyderabad. Return flights to Australia amounting to \$12,000 were claimed as an overseas study [allowance](#) at the expense of unsuspecting taxpayers. Several months later the [GVK](#) energy conglomerate acquired a majority stake in the [Hancock Alpha](#) coal mine in Queensland's Galilee basin for \$US1.26 billion. [904-915](#)

This unhealthy [alliance](#) of corporate gangsters with state interests has intensified with the emergence of rampant unfettered neoliberalism. The social impact is quite devastating and is evident via increasing [psychosocial](#) issues and [industrial diseases](#) such as [mesothelioma](#), [silicosis](#), [leukaemia](#) and [black lung](#). It also illustrates there are serious ethical concerns when society allows itself to be driven by the market economy. Indeed, a fundamental tenet of work health and safety legislation is to secure the health and safety of people at work and it also binds the Crown. [916-922](#)

Despite a quest for moral high ground via superficial [philanthropy](#), it is obvious the extreme wealth, power and influence of the [Hancock dynasty](#) is underpinned by a genetic indifference to duty of care and [soteriology](#). Any contrived event like [Wittenoom](#), which may culminate in the agonising deaths of up to 60,000 Australians by 2030, can only be described as criminal negligence. It was even sanctioned by many honoured dignitaries within federal and state liberal governments and subsidised accordingly. This amoral corporate greed, recklessness and indifference is tantamount to [androcide](#) or [democide](#). The death toll from asbestos related diseases in Australia will eventually exceed its First World War casualties. Those horrific events at [Gallipoli](#) inspired a tradition of annual remembrance but most asbestos victims usually encounter subterfuge or a conspiracy of silence.....*When the rich wage war, it's the poor who die.* [923-930](#)

Mining and milling operations at [Wittenoom](#) officially ceased in [December 1966](#) purely for economic reasons. A [media](#) release from [Sir Charles Court](#), a state government minister, was somewhat prophetic.....*This is not the end of Wittenoom. It is the beginning of a new phase in its history.* Over 2000 asbestos related deaths and catastrophic environmental damage have corroborated his comments. [931-934](#)

Nevertheless, numerous Hancock group employees continued working amongst the mine tailings and contaminated gorges until 1994. The organisation pleaded ignorance over the health risks and claimed activities were endorsed by statutory authorities. In December 2006, the state government dissolved Wittenoom's status as a township and its power supply was disconnected from the grid. It was eventually degazetted, removed from official maps and classified as a contaminated site. ⁹³⁵⁻⁹³⁷

In May 2018 a private members' bill covering live animal exports was presented by another disgraced former cabinet minister in the Turnbull coalition government. The member assured lower house representatives that emotions had not clouded her judgement but the case for live sheep exports fails on both economic and animal welfare grounds. It was also an industry with an operating model built on animal suffering. Maybe these concerns should be directed towards the resources, manufacturing and construction sectors with an increasing focus on the prevalence of debilitating industrial diseases. This includes disorders such as mesothelioma, black lung and silicosis, which is emerging as the most significant occupational lung disease since asbestosis. ⁹³⁸⁻⁹⁴⁴

The vituperative recklessness and contumelious irresponsibility displayed by corporate gangsters at Wittenoom has bequeathed a catastrophic legacy of devastation and disease. It was exacerbated by entrenched insouciance from elected dignitaries and sycophantic public serpents afraid to speak the truth to power. Over three million tons of tailings containing up to 5% of blue asbestos are surrounding Wittenoom. Slate coloured slag heaps from the redundant mines obtrude incongruously against red ochre ridges and fluorescent green valleys of the scenic gorge. Its riverbeds and creeks are polluted with blue asbestos from mine tailings, which cascade through tributaries past the condemned township during wet season torrents. Erosion from stream undercurrents feeds asbestos contaminated material into the Fortescue River catchment. It can circulate through gorges, floodplains and pastures towards inhabited environs and potable water supplies. The contaminated dumps are a legacy of reckless and irresponsible mining that began during the 1930s and ended in 1966. Almost 30 years later a state parliamentary inquiry recommended.....*The government take instant and determined action to have CSR and the Hancock group of companies remediate the sites and renovate the damage they have caused.* Even following remediation it is extremely unlikely the state government will allow permanent residence in the region. ⁹⁴⁵⁻⁹⁵³

The tailings still remain and the independent [report](#) from 2006 provides a comprehensive summary of the public health and environmental risks. It states residents, pastoralists and construction contractors may be at a [high risk](#) from exposure to respirable fibres. In the dry season, approximately 100 vehicles use the access roads and almost 40 tourists visit the township and its adjacent gorges daily. During the wet season up to 200 indigenous people participate in ceremonial rituals around sacred sites. Contractors involved in remediation work and geologists and pastoralists also visit for [work](#) in the immediate environs. [954-956](#)

The privatising profit and socialising loss [dichotomy](#) has emerged and the responsibility for restoration is left to the state government. Unlike wealth in [trickle-down economics](#), the cost inevitably cascades onto taxpayers. The state inherited the risk when the companies were unable to afford remediation expenses and decided not to renew their leases. Meanwhile, it continues to [procrastinate](#) and is extremely reluctant to take any meaningful action as the environmental and public health risk increases. The remediation and restoration could be funded via the commonwealth [Proceeds of Crime Act 2002](#). It includes provisions to recover assets generated from a crime and benefits derived from an offence or other illegal activities. It is extremely unlikely the Western Australia or federal governments would take such action. Nonetheless, many elected representatives are quite willing to accept beguiling invitations to extravagant overseas weddings and corporate shindigs and rot their expenses. [957-960](#)

Mining and other incidental activities at [Wittenoom](#) casually disregarded any concerns for the local indigenous community and most aborigines were categorised as [untermensch](#). During a television [interview](#), the despicable [Lang Hancock](#) effectively advocated [genocide](#) using statutory sterilisation. It is implausible that consideration was recently given to erect a [statue](#) in Perth venerating the devastation created by this fecund and uncouth malapert. Maybe a bust of [Colonel Paul Tibbets](#) will be mounted in [Hiroshima Prefecture's](#) city square although it is much more humanitarian to reflect on a verse from an aboriginal [poet](#) written in 1971:

At the white man's school, what are our children taught?

Are they told of the battles our people fought?

Are they told of how our people died? Are they told why our people cried?

Australia's true history is never read but the black man keeps it in his head. [961-968](#)

Killer queen

Following the prolonged legal [battles](#) involving miners who succumbed to asbestos related diseases it became evident that many other workers, especially in the manufacturing and use of asbestos containing materials were also at risk. This sector was dominated by [James Hardie Industries](#) and during the post war housing construction boom the company became synonymous with [building products](#) such as fibreboard and asbestos cement. However, a product liability and public health [crisis](#) was looming via an escalating toll in asbestos related diseases. It became increasingly difficult for the company to disregard pertinent questions about its awareness and obligations covering the hazards and associated risks of asbestos exposure. [969-973](#)

After the [Heys and Barrow](#) case its rival manufacturer, CSR Limited, capitulated to legal and social pressure and offered to accept claims as specific cases emerged. [James Hardie](#) ceased manufacturing asbestos containing products in the early 1980s and began sanitising its corporate image. Civil [litigation](#) was usually settled behind closed doors with secrecy clauses to protect its reputation. However, an escalating toll of death and disease generated alternative tactics as the magnitude of the risk became evident. It embarked on an extremely [aggressive](#) corporate strategy and twisted every which way but loose to safeguard its assets, evade accountability and minimise liability. [974-977](#)

During the 1990s under the helm of another sociopath, a brutal American vulture culture evolved, which took no prisoners. The organisational structure was transformed and the company exploited the foreboding principle of [limited liability](#) under corporations' law to establish an impenetrable [corporate veil](#) and circumvent its obligations. Acolytes of this concept claim it encourages entrepreneurialism but it is frequently abused by corporate sociopaths to impede creditors and avoid accountability. Between 1937 and 1986 [James Hardie](#) manufactured asbestos products via two subsidiaries and as the magnitude of the risk became evident, the assets were transferred to James Hardie Industries NV in the Netherlands. During 2001 ownership was allocated to a freshly sanitised body, the [Medical Research and Compensation Foundation](#). An actuary was appointed to estimate the cost of future claims and the foundation was bequeathed some pocket money amounting to almost \$300 million to cover any future liabilities emanating from asbestos litigation. [978-981](#)

Despite the patina of [soteriology](#), festering undercurrents of corporate turpitude supported by its inhumane US [vulture culture](#) soon emerged. The transfer of company assets to the Netherlands was eventually approved by the New South Wales Supreme Court. However, there was no reciprocal agreement or memorandum of understanding between US, Dutch and Australian governments to recover assets. It would effectively leave many asbestos victims chasing smoke and the federal liberal government under John Howard nonchalantly shrugged its shoulders. The [improbability](#) was described by Greg Combet as.....*One of the most morally and legally repugnant acts in Australian corporate history.* [982-984](#)

It transpired that liabilities against the James Hardie group would exceed \$2 billion, which left the fund with an enormous deficit. In February 2004, the state government ordered a [judicial inquiry](#) to investigate any malfeasance. It found James Hardie was under no legal obligation to provide compensation although it was extremely critical of senior management performance and [actuarial](#) studies. However, the company faced increasing sociopolitical pressure from unions, community activists and an indefatigable, [Bernie Banton AM](#). The state labour government appointed [Greg Combet](#) to convene a suitable settlement and establish a genuine compensation fund. This required superior negotiating skills, mindful militancy and approval from James Hardie shareholders. After resolving complex taxation issues with the federal government it was eventually accomplished in February 2007. [985-988](#)

No [criminal](#) charges were ever laid although numerous senior executives faced civil action under corporations' legislation in the [New South Wales Supreme Court](#). The chief executive, [Peter MacDonald](#) received a \$350,000 fine and was disqualified from serving as a board member for 15 years. This was attenuated by a resignation windfall, which included a bountiful [\\$9 million golden parachute](#). [989-993](#)

Justice [Ian Gzell](#) reserved some harsh [criticism](#) for [Meredith Hellicar](#), the former James Hardie chairperson. During testimony she was found to be a most unsatisfactory witness who feigned shock and displayed unacceptable dogmatism. She received a five-year ban with a \$30,000 fine. It was reduced on [appeal](#) and the former [AMP director](#), coal industry lobbyist and corporate sociopath was confined to the naughty step.... *She keeps Moet et Chandon in her pretty cabinet.* Meanwhile on 27th November 2007, [Bernie Banton AM](#) a former James Hardie employee, died from [peritoneal mesothelioma](#).....*Qu'ils mangent de la brioche just like Marie Antoinette.* [994-1003](#)

Here, there and everywhere

The enactment of [legislation](#) in Australia back in 2003 prohibits mining, manufacture and use of asbestos in the workplace. However, the risk of exposure [remains](#) and it is frequently encountered by tradespeople, renovators and home owners or occupants. It is contributing to another [surge](#) of asbestos related diseases with an escalating public health risk and the consequences usually materialise decades later. [1004-1006](#)

A [Turner and Newall](#) factory near Leeds in the United Kingdom manufactured asbestos products over many years. Emissions from its ventilation system contaminated over 1000 properties in the nearby [Armley Lodge](#) district of the city. At least 300 former employees are believed to have died from asbestos related diseases and the adjacent housing estate has the highest incidence rate of mesothelioma in the United Kingdom. The factory closed in 1959 and the repercussions have been described as a [social disaster](#). [1007-1009](#)

During 1913, the [Cape Asbestos Company](#) opened several [factories](#) in London, which included a manufacturing plant in Barking to produce an extensive range of asbestos containing products including gas masks. In 1929 concerns were raised about [asbestos](#) dust exposure but operations continued until the factory closed in 1968. Employees often worked in casual clothing without respiratory protective equipment and were merely informed to drink a glass of milk to mitigate any respiratory complications. Dust from extraction fans frequently shrouded a primary school adjacent to the factory. [1010-1012](#)

The [manufacturing plant](#) was eventually demolished in the late 1960s and the land was purchased by the local council. Several council houses and tenements were built on the contaminated site. The factory employed over 10,000 people and it is difficult to estimate the precise number of employees who suffered asbestos related deaths. However, the incidence rate for [mesothelioma](#) fatalities in Barking is amongst the highest in the United Kingdom and asbestos related deaths are a pandemic throughout the region. It was described by a local member of parliament as one of the greatest tragedies the community has ever experienced. Meanwhile, [Cape PLC](#) continues operating and.....*Aims to provide a workplace where everyone can work safely and healthily and operate in an environmentally and socially responsible manner.* It was recently rewarded with several large contracts on oil and gas projects across [Australia](#) and has virtual [offices](#) in most states. [1013-1017](#)

Both sides now

The asbestos scourge holds no [boundaries](#) and the material was used here, there and everywhere. Between the 1960s and 1970s it was pumped into roof cavities to insulate over 1000 properties in the suburbs of Canberra. It was a [lucrative venture](#) and encompassed additional homes across the border in New South Wales. The insulating material was initially sold as [Asbestosfluf](#) and installed by a local entrepreneur, Dirk Jansen with assistance from family, colleagues and [itinerant labourers](#). The company was colloquially termed [Mr Fluffy](#) and the snake oil hyperbole for the wondrous insulating material included phrases such as affordable, safe, enduring and.....*Asbestosfluf insulated homes have an added market value*. It also claimed the product was [CSIRO](#) tested and approved. [1018-1023](#)

The [scheme](#) began in 1968 when Dirk Jansen established a company named Asbestosfluf Insulations and purchased a second hand pumping truck. Evidence indicates the material was brown asbestos or amosite originating from [EGNEP](#) in South Africa, a subsidiary of the [Cape Mining Company](#) in the United Kingdom. The product allegedly arrived in Australia via New Zealand. It was delivered in 45 kg unlined hessian bags bearing a distinctive James Hardie logo but the country of origin was obscured to circumvent the South Africa apartheid trade [embargo](#). It appears coincidental that during the same period two Cape Asbestos manufacturing plants at [Barking](#) and [Acre Mill](#) in the United Kingdom ceased operating. This may have left a surplus of raw material in leased warehouses costing a significant amount of money. However, it is beyond doubt that Asbestofluff Insulations spent over six years insulating many homes with friable amosite throughout Canberra, Queanbeyan, Bungendore and Yass. It also offered a premium service using [crocidolite](#) or blue asbestos. [1024-1030](#)

The business flourished and the company insulated approximately 20 houses each week and it raised some [anxiety](#) amongst the Commonwealth Health Department. Senior officers were accompanied by a physicist, Gersh Major to investigate the process and a subsequent [report](#) provided several ominous warnings. It claimed there was a serious risk of exposure to asbestos dust and recommended discontinuing the activity. The advice was [disregarded](#) and the home insulation scheme continued unabated. However, toxicity of the substance was acknowledged by the health services department with a public warning to installers and an offer of free health checks, which included x-rays. [1031-1033](#)

In 1972 a new company [J & H Insulations](#) was established by a family member, Joseph Jansen with business partner John Hetz. The product was rebranded and sanitised using the name Amoswool. It was described as non-irritating and completely harmless. Insulation of homes continued throughout the region until 1979, when the product was removed from the marketplace to align with new building regulations. Dirk Jansen passed away during 2001 and his [descendants](#) were reluctant to discuss the venture or provide any further information and requested people to respect their privacy. [1034-1035](#)

In 2015 the [Australian Capital Territory](#) government published a [list](#), detailing more than 1000 insulated houses throughout Canberra. An independent [report](#) from the New South Wales government used an actuarial proximity model to estimate the number of affected residential properties across 26 of its local government areas. It estimated 511 properties may be at risk. However, additional evidence suggests the magnitude could be much greater. A company called [Bowers Asphalt](#) from Rozelle performed similar activities for almost 13 years and considered expanding into Canberra before the Mr Fluffy venture began. Properties containing loose fill asbestos insulation have been identified at Lithgow in the Blue Mountains and Batemans Bay, many kilometres away from Canberra. [1036-1039](#)

The commonwealth spent almost \$100 million in a futile attempt to remediate and restore contaminated properties throughout Canberra. In August 2014 a [report](#) from the asbestos response taskforce confirmed an unknown and perhaps unknowable number of residents lived in homes affected by loose fill asbestos insulation. It concluded demolition of the affected properties was the only enduring solution to the risks posed by loose fill asbestos insulation in homes. The commonwealth offered a concessional loan of up to \$1 billion for the Australian Capital Territory government to purchase the affected properties under a voluntary [buy back scheme](#). It has encountered some [resistance](#) and conflict with [owners](#) who have disagreed with property valuations and are exploring alternative legal options. In December 2014 the New South Wales government established a [taskforce](#) and development of a make safe assistance package. It supported a voluntary purchase and demolition [program](#) across the 26 identified local government areas throughout New South Wales and offered a free sampling and testing scheme.....*Rows and floes of angel hair and ice cream castles in the air and feather canyons everywhere, I've looked at clouds that way but now they only block the sun and rain and snow on everyone.* [1040-1046](#)

Little white lies

Canada is usually regarded as a reformist, progressive and benevolent nation. These traits were often personified by the charismatic [Pierre Trudeau](#) and more recently through his son and incumbent prime minister, [Justin Trudeau](#). However, it disguises a dark and sombre [ugly secret](#), which was revealed during a controversial [CBC](#) documentary. Most Canadians are unaware of the political chicanery and duplicity involved with its export of chrysotile or white asbestos to developing countries such as India and [Indonesia](#). During the 1970s, revelations about the health risks of asbestos and product liability destroyed the market across the United States, Canada and Europe and the product was [banned](#) in most industrialised nations. [1047-1051](#)

Canada [exports](#) 95% of its asbestos to countries such as India, Bangladesh and Indonesia and frequently uses burnished propaganda to masquerade the material's inherent toxicity. Most of the material comes from the [Asbestos](#) and [Thetford](#) mines in the parochial province of [Quebec](#). Its best customer is India, which receives almost 40 million tonnes of chrysotile each year. Most of it is bound for the state of [Gujarat](#), which offers an endless supply of naïve, vulnerable and cheap labour without any enforcement of safety legislation. [1052-1056](#)

It resurrected an ailing [asbestos mining](#) industry in Quebec but evidence suggests a legacy of disease, death and misery is inevitable amongst the impoverished communities across India's [golden corridor](#). Meanwhile, turgid sludge from sociopathic corporate executives and industry lobbyists supported by servile public serpents spewed like the lava from Hawaii's Kilauea volcano. A fundamental tenet for managing risk requires controlling problems at the [source](#) and the provision of ventilation or respiratory protective equipment at the coal face is merely a superficial nostrum. [1057-1059](#)

Despite scientific evidence the Canadian government remained indifferent. Its Quebec based industry bodies claimed chrysotile was a safe and attractive product. This cunning misrepresentation of scientific information established the foundations for corrupt public policy. However during 2008, a scientist with the [Health Canada](#) panel recommended banning the substance. It was considered the only effective solution to prevent a tragic repeat of the asbestos diseases epidemic that emerged throughout the US, Europe and Australia. This involved many corporate behemoths including [Johns Manville](#), [Turner and Newall](#), [Cape](#), [CSR](#) and [James Hardie](#). [1060-1065](#)

Achieving an [international ban](#) involved critical understanding of the economic, cultural, sociopolitical and historical factors underpinning Canada's policy, which endorsed the mining, use and export of asbestos. It would require a prolonged campaign of [mindful militancy](#) to persuade an entrenched culture that enjoyed traditional support from every political party at provincial and national levels. The industry also received passionate encouragement from the trade union movement in an extremely parochial province with enormous political power. The timing and location for unleashing the [campaign](#) was crucial and it was quite evident that it had to be launched and won in Quebec. [1066-1068](#)

In 1997 the two peak asbestos industry bodies transferred their headquarters from France to Montreal and their names were sanitised. Any reference to asbestos was removed and the organisations became known as the [Chrysotile Institute](#) and the [International Chrysotile Association](#). The [leader](#) for both lobby groups was the most powerful trade union official in the province and former president of the [Quebec Federation of Labour](#). It would be a tough campaign and aggressive battle against an alliance with enormous sociopolitical clout and financial resources. Traditional victim impact and injustice campaigns amongst [cohorts](#) of mercenary redneck knuckle draggers would require additional and alternative tactics. This involved gaining control of the scientific message and exposing and challenging the malicious propaganda persistently disseminated by industry lobby groups. [1069-1073](#)

In 2006 Canada opposed the listing of chrysotile as a hazardous substance under the United Nations Rotterdam [Convention](#), which also required prior informed consent protocols to export identified materials or chemicals. At a subsequent meeting in 2008 an activist group issued a [bilingual](#) call of conscience to [Stephen Harper](#). The statement claimed the Canadian government deliberately sabotaged the convention and its actions repudiated basic human rights and tarnished the country's international reputation. [1074-1076](#)

It received significant media coverage and was endorsed by over 100 eminent scientists and health professionals, which included many academics and patriotic Quebec [government representatives](#) from Montreal. The Chrysotile Institute had lobbied aggressively but [Stephen Harper](#) was left shell shocked and his government remained silent, which extirpated its credibility. It was a significant milestone in the campaign and the activism appealed to scientific integrity, human solidarity and reinforced Canadian values, especially amongst the parochial [Québécois](#). [1077-1079](#)

The next step involved challenging the C\$750,000 funding promised by the Canadian government to the [Chrysotile Institute](#) that was incongruous with its stance on funding industry lobby groups. A [letter](#) from two eminent Quebec health officials, which was endorsed by several other renowned English Canadians, challenged the lobbyist's propaganda and requested Stephen Harper to withdraw funding. This also received extensive media coverage and the prime minister and the Chrysotile Institute were unable to defend the malfeasance and it significantly transformed public opinion. [1080-1081](#)

The campaign gained momentum and 15 distinguished professionals published an [open statement](#) in [La Presse](#), a popular Quebec newspaper with widespread circulation. It challenged the Quebec government to recognise the scientific evidence, protect the health of vulnerable workers in developing countries and stop the mining and exporting of asbestos. The declaration spoke the truth to power and exposed the perfidy. It also won the hearts and minds of the laity and established honour and integrity that no amount of power, greed or money could distort or corrupt. [1082-1083](#)

The activism continued with frequent disclosures of the political chicanery and turpitude amongst elected representatives and industry lobbyists. This included an [accusation](#) that the Quebec [health minister](#) violated his professional code of ethics by endorsing the use of chrysotile asbestos. The campaign achieved increasing recognition from many other professional bodies and not a single health organisation or reputable scientist supported the asbestos industry. [1084-1085](#)

Genuine leadership emerged amongst the provincial government public health directors, which challenged a C\$58 million loan to expand the [Jeffrey mine](#) near the Asbestos township. A formal letter claimed it would increase asbestos related diseases amongst employees and the general public with significant financial and social implications. This was reinforced via a media release and the letter was published on the Quebec provincial government website. The federal [health minister](#) also came under the spotlight and was [requested](#) to support the ban on mining asbestos. It was treated somewhat indifferently and the minister disregarded the overwhelming scientific evidence and refused to meet with health professionals. The minister failed to fulfil her duty to protect health, a fundamental tenet in the declaration of human rights and work health and safety legislation. [1086-1088](#)

The campaign soon gained international recognition and scientists from around the world wrote to the Quebec premier, [Jean Charest](#) requesting the prohibition of mining and exporting of chrysotile asbestos. During a trade mission to India in 2010, Jean Charest was accompanied by a major exporter and [Normand Paulin](#), a senior executive with the Quebec Occupational Health and Safety [Commission](#). The trio was asked to meet with the victims of asbestos related diseases, union officials and public health activists but [Charest](#) refused to participate in the discussion. [1089-1091](#)

Normand Paulin met with several representatives who claimed safe use of chrysotile under the prevailing conditions was practically impossible and it was destroying the lives of workers and their immediate dependants. The event received extensive media coverage, especially back in Canada. It depicted [man's inhumanity to man](#) and delivered an extremely powerful message to the laity. In January 2011 a public opinion [poll](#) confirmed 76% of the [Québécois](#) opposed government financing for the Jeffrey mine expansion. It became evident that the conservatives in Ottawa and liberals in Quebec were the only political parties supporting the asbestos industry. The wheels were falling off and the federal government ceased to finance and support the [Chrysotile Institute](#), which eventually closed. Several months before the provincial election and in a desperate attempt to gain support from the resources sector, the Charest government provided a [C\\$58 million](#) bung to the [Jeffrey mine](#). This generated intense public outrage and extirpated any remaining skerrick of the liberal party's tattered [credibility](#). [1092-1099](#)

In September 2012 the [Parti Québécois](#) was duly elected. It proceeded to [cancel](#) the loan and asbestos mining in Quebec ceased. After ten years in power, the federal neoliberal conservative government under Stephen Harper was [defeated](#) in the October 2015 election and Justin Trudeau became prime minister. In December 2016 the Trudeau federal government announced it would pass legislation and ban asbestos by 2018. This would involve extensive consultation to develop and implement effective regulations. [1100-1102](#)

The victory was not just about asbestos. It was a [battle](#) that exposed and defeated corrupt science and destroyed the sociopolitical and economic power of vested interests. It also demanded that people's right to health be placed beyond profit. These issues recur in every battle for social and environmental justice. This can be resolved via determination, solidarity and integrity.....[Indifference is the essence of inhumanity](#). [1103-1104](#)

Per ardua ad astra

I'm fixing a hole where the rain gets in and stops my mind from wandering

Lennon & McCartney ¹¹⁰⁵

The intrepid exploits of jet fighter pilots in Hollywood [movies](#) usually rekindles adolescent fantasies and promotes [infallibility](#) with beguiling images of virility and perfection under intense pressure. It also reflects the [esprit de corps](#) of the [Royal Australian Air Force](#) and aligns with its insignia that is loosely translated as.....*Through adversity to the stars*. Major sporting events, commemorative occasions and defence [air shows](#) often featured [F-111 Aardvark](#) jet fighters performing spectacular [dump and burn](#) manoeuvres, which enthralled many spectators. However, maintaining a fleet of two dozen strike and reconnaissance aircraft was somewhat less culturally aesthetic and it degenerated into a grotesque [nightmare](#) for thousands of defence force servicemen, contractors and their dependents. ¹¹⁰⁶⁻¹¹¹⁴

Between [1973 and the start of the new millennium](#) several thousand [servicemen](#) and civilian contractors were deployed during the inspection, maintenance and cleaning of two dozen Royal Australian Air Force F-111 fighter jets. This involved overhaul of leaking fuel tanks via a series of scheduled deseal and reseal programs with additional impromptu repairs or sealant rework activities. It required frequent entry into [confined spaces](#) with prolonged exposure to a volatile cocktail of aliphatic and aromatic hydrocarbons, [carcinogens](#), [flammable solvents](#), [sealants](#) and other [toxic chemicals](#). These included [methyl ethyl ketone](#), [benzene](#), [toluene](#), [aviation turbine fuel](#), [strontium chromate](#) and the notorious stench of [thiophenol](#) from [SR51](#) and [SR51A](#) desealants. ¹¹¹⁵⁻¹¹²⁵

During summer months environmental conditions were often oppressive and sometimes unbearable. Many of the inspections and repairs were performed with insufficient or inadequate personal protective equipment and ventilation was usually ineffective. The maintenance crews at Amberley jet base were colloquially termed the [goop troops](#) and became [pariahs](#) or social outcasts. Adverse [health effects](#) soon emerged, which included dermatitis, chronic fatigue syndrome, asthma, erectile dysfunction, liver disorders, gastro intestinal problems, cancer and neurological conditions. During early 1999 concerns regarding the [ailments](#) were eventually raised by a senior officer in the aircraft maintenance section and spray seal activities were suspended pending further internal investigations. ¹¹²⁶⁻¹¹²⁹

After Burns night

In [January 2000](#) an internal investigation and review of safety data sheets suggested the symptoms were consistent with exposure to chemical solvents used in the four deseal and reseal programs dating back to 1975. The maintenance activities ceased just after [Burns night](#) and a board of inquiry was appointed to conduct an extensive investigation, which commenced in July 2001. Subsequent [reports](#) were littered with the distinctive defence department alphabet soup acronyms and disclosed a litany of systemic failures and unsafe work practices. [Witnesses](#) provided colourful examples of [caring understanding nineties type](#) leadership from the [see you next Thursday](#) militaristic management school. Indeed, the maintenance crews experienced plenty of adversity but not too many stars.....*Per ardua ad astra.* ¹¹³⁰⁻¹¹³⁵

In September 2001 an interim health care scheme was established for specified conditions pertaining to the formal maintenance programs pending completion of further extensive [health studies](#). The findings established a causal nexus between deseal reseal activities and a range of health conditions, which included anxiety, depression, memory impairment and erectile dysfunction with an increased risk of cancer. This prompted a reactive response from the federal government under John Howard, especially with an election looming. It provided easier access to an improved [health scheme](#), which offered \$10,000 or \$40,000 [ex gratia payments](#) for eligible claimants with [specified health conditions](#). This was supplemented with [counselling services](#) and [respite care](#) via the [Department of Veterans' Affairs](#). ¹¹³⁶⁻¹¹⁴²

It beckoned Orwellian [doublespeak](#) from the government and the package was duly pronounced as an acknowledgement that specific personnel experienced an [onerous and unique working environment](#). This was not a health based compensation scheme and payments were determined by accumulated service on the [four formal programs](#), which discounted any degree of suffering from chemical exposure. It attracted [extensive criticism](#) from many [disgruntled victims](#), especially regarding the [prescriptive eligibility criteria](#). Insufficient record keeping and health surveillance protocols exacerbated the situation and generated major inconsistencies within the claims management process. Ancillary employees involved with the [handling of chemicals](#) and support crews performing impromptu pick and patch repairs were deemed ineligible. Their applications were rejected and the dirge from [Robbie Burns](#) resonates.....*Man's inhumanity to man makes thousands mourn!* ¹¹⁴³⁻¹¹⁵¹

Take my breath away

Evidence from [victims](#) suggest the reactive nostrum was merely a tyranny of bureaucracy supplemented by customary insurance tactics, which involved the holy trinity of [delay, deny and die](#) for managing claims. The scheme was administered without a skerrick of compassion and the faceless panjandrums within the [Department of Veterans' Affairs](#) were described as [thoroughbred bastards](#). The callous indifference was appalling and plaintiffs were left chasing smoke and many remain somewhat despondent. Distressed servicemen became [dead men walking](#) and sought solidarity via their [goop troop](#) support network. Several victims died pending decisions on their applications and some even committed suicide. [1152-1157](#)

There was no recognised departmental [policy](#) or guidelines covering claims management and despite statutory declarations many applications were rejected because the Royal Australian Air Force failed to maintain adequate records. The painstaking war of attrition often proved unbearable and one individual suffering from acute depression was admitted to hospital and placed on suicide watch. During convalescence the treatment included a final notice from Veterans' Affairs rejecting any entitlements. The [commonwealth ombudsman](#) investigated numerous unsuccessful claims and acknowledged the scheme was racked with problems. There were significant inconsistencies with the claims management process and many former servicemen were stripped of any dignity and demoralised. Furthermore, the [scientism](#) of extensive [health studies](#) increased [obscurantism](#) and generated more questions than answers. It disclosed much about what is [unknown](#) regarding the acute and chronic [health effects](#) of exposure to volatile aliphatic and polycyclic aromatic solvents. Indeed the late nuclear physicist, [Ernest Rutherford](#) allegedly claimed.....*If your experiment requires statistics you ought to have done a better experiment.* [1158-1165](#)

During the initial [inquiry](#) a victim's witness statement was [sanitised](#) by federal government legal representatives. The amended document barely resembled the original, which was destroyed without his permission and the [plaintiff](#) was instructed to sign the sterilised version, which would expedite the process and receipt of ex gratia payments. It was potentially an indictable offence and tantamount to [perverting the course of justice](#). This was a major finding during the recent [Hillsborough](#) independent inquiry and several serious charges have since been laid by the [Crown Prosecution Service](#) in the United Kingdom. [1166-1171](#)

The living years

Following its 2007 [election](#) commitments the incumbent federal labour government launched a [parliamentary inquiry](#). The [Joint Standing Committee](#) on Foreign Affairs, Defence and Trade was appointed to investigate issues surrounding former F-111 desal reseal workers and their families. It concluded there was insufficient substantive evidence to prove specific chemicals caused widespread health problems. However, its subsequent [report](#) offered an extensive range of [recommendations](#), most of which were accepted by the federal labour government. This addressed many of the anomalies arising from the Howard government's shallow commitment and shambolic efforts, which cost taxpayers almost [\\$70 million](#). It would also restore some much needed respect, trust and dignity amongst many of the suffering ex-servicemen and their tormented families. [1172-1177](#)

Eligibility was [extended](#) to encompass many neglected victims and entitlements were based on exposure with an acceptance of statutory declarations if work records were inconclusive or unavailable. Assistance and counselling was provided for affected families and prescribed limitations for submitting claims and restrictions imposed on the estates of deceased victims were removed. It also recommended the defence force address [structural and cultural issues](#) and improve its occupational medicine capabilities. The government offered funding via a [\\$55 million](#) support package. [1178-1180](#)

An audit and subsequent [report](#) from the [Australian National Audit Office](#) in 2013 confirmed effective progress covering the implementation of accepted recommendations. However, participation in the scheme from potential beneficiaries was less than anticipated and many frustrated victims may have preferred a lawyer's picnic and resorted to civil action. The ex gratia payments were effectively pocket money and barely covered extortionate medical expenses. It is somewhat paradoxical that following the [James Hardie](#) asbestos scandal its chief executive officer resigned and received a [\\$9 million golden parachute](#). Indeed, there is ample evidence covering adverse health effects and [exposure](#) to organic solvents. During my extensive tenure with [Shell UK Oil](#) a cursory glance through the obituary column in the refinery's monthly bulletin revealed not too many employees reached retirement age. The problem is now emerging throughout the [electronics industry](#) in China.....*Every generation blames the one before and all of their frustrations come beating at your door.* [1181-1188](#)

Black lung

Society cares for the individual only so far as he is profitable

Simone de Beauvoir ¹¹⁸⁹

On 30th December 1969, following the [Farmington](#) mining disaster and threat of a nationwide strike the US president eventually capitulated. Although [Richard Nixon](#) declined to meet many of the inconsolable widows of the 78 deceased miners at the White House oval office, he reluctantly endorsed the [Federal Coal Mine Health and Safety Act](#). After almost a century of intense political polemic, the controversial black lung benefits scheme was finally ratified. This involved a prolonged and often bitter campaign to convince mine owners, political leaders and health professionals about coal workers' pneumoconiosis or black lung. It was somewhat ironic but less than six months earlier on 20th July 1969, the Apollo 11 astronaut, [Neil Armstrong](#) walked on the moon. ¹¹⁹⁰⁻¹¹⁹³

The legislation created an agency that became the [Mine Safety and Health Administration](#), which required statutory quarterly inspections of underground operations and six monthly assessments of open cut mines. It also established [coal dust exposure limits](#) and a health surveillance program supported by a compensation scheme for coal miners debilitated by occupational lung diseases. In the early 1970s, almost one third of miners who worked more than 25 years in underground coal mines, were diagnosed with [black lung](#) symptoms. The new [legislation](#) began to fulfil its objectives as cases of [coal workers' pneumoconiosis](#) declined. In less than three decades its prevalence plummeted and the disease was almost eradicated. ¹¹⁹⁴⁻¹¹⁹⁷

Social psychological approach

Over many years the biomedical scientific approach became embroiled with the political economy of the coal industry. A misinformed complacency vitiated the medical, engineering and legal professions and failure to establish a [causal nexus](#) disparaged American medicine and tarnished its integrity. People in positions of authority sacrificed truth and accountability to protect reputations and advocated that breathing coal dust was relatively harmless and even [beneficial to health](#). Entrenched disrespect was eventually defeated using passionate social engagement and confrontational collective action with mindful militancy and speaking the truth to power. ¹¹⁹⁸⁻¹²⁰⁰

Plain and simple vocabulary such as [miners' asthma](#) or black lung replaced enigmatic scientific jargon to reveal masses of breathless and incapacitated men exhausted by their work. An enthusiastic and determined communal response succeeded where intricate scientific investigation and private subtle negotiation failed. This reflects and aligns with the work and philosophy of deceased British anthropologist, [Mary Douglas](#). Indeed risk has moved from a collectivist to individualist paradigm throughout most western cultures. The commitment to methodological individualism increasingly objectifies risk and disregards many of its cultural, metaphysical or social psychological aspects. Moreover, extirpating a language has a profound impact on cultural change and during any coup d'état control of media outlets remains a priority. [1201-1205](#)

The rapid expanse of communications [technopoly](#) with antisocial media platforms such as Twitter and Facebook has sinister totalitarian objectives and furtively [surrenders culture to technology](#). However, the real tragedy is that preventive action in the early 1900s would have saved many lives. The billions of dollars invested in the black lung benefits program could have avoided much unnecessary angst and suffering. [1206-1208](#)

Health surveillance

Under the coal workers' health surveillance program, voluntary screening continued and included an initial chest x-ray and periodic examinations every five years. However at the turn of the millennium in 2005, a scheme physician raised concerns regarding patternicity and clustering of abnormal symptoms. It implied a rapid onset of severe cases of black lung with alarming evidence of progressive massive fibrosis. However, additional data was required to establish statistical significance. Further extensive research using a mobile medical unit to monitor the prevalence in remote regions confirmed initial observations. [1209-1210](#)

Black lung was rampant throughout [Appalachia](#), especially across the [West Virginia](#) coal fields. Moreover and somewhat ominously, screening under the surveillance program was voluntary, which suggested the frequency rate could significantly increase. Additional corroborating evidence was duly provided following the [Upper Big Branch](#) mining disaster. The explosion under the helm of [Don Blankenship](#) claimed the lives of 29 miners and autopsies on 24 of its victims revealed 71% displayed the classic symptoms of coal workers' pneumoconiosis. [1209-1210](#)

Exploratory data analysis between 2000 and 2012, confirmed the prevalence had increased by a staggering 900%. This matched incidence rates that were common before legislation was enacted in 1969. The exceedingly rapid onset of [progressive massive fibrosis](#) also generated significant concern amongst epidemiologists. Indeed, black lung can only emerge through inhaling excessive amounts of coal dust. It inferred existing legislative arrangements were somewhat ineffective and other unidentified exogenous or endogenous risks may be contributing to the enigma. ¹²¹¹⁻¹²¹²

This significant resurgence came as no surprise to many supervisors, miners and their immediate families. However, the response from employers and industry associations was invariably nonchalant and remains rather lacklustre. Most employer representatives and industry associations can regurgitate legislative requirements but conveniently disregard many of the sociopolitical issues or exogenous risks that render industrial health and safety legislation ineffective. ¹²¹³⁻¹²¹⁴

Political economy

From 1969 to 1972 corporate America experienced a series of significant political setbacks or impediments. It consisted of radical social reform with increasing regulatory enforcement from Washington. This included severe restrictions on business via rigorous industrial safety, environmental and consumer protection legislation, which was frequently supported by the dissident activist, [Ralph Nader](#). The preliminary response from corporate America to this paradigm shift was often a mixture of disbelief, outrage, retribution and anxiety. A brutal strategy with aggressive tactics orchestrated by [Lewis Powell](#) and [Bryce Harlow](#) soon emerged, which involved a massive redistribution of power and union of corporate and state interests. This political and economic pincer movement advocated deregulation, diminution and privatisation. It infiltrated academia via the [Chicago school of economics](#) in a city where another notorious gangster plied his trade during the great depression. Additional support was provided by the financial services sector with readily available credit, unsecured mortgages and payday loans for the masses. In under a decade this corporate revolution restructured Washington and set the foundations for casino capitalism. A winner take all philosophy was paradoxically promoted as [trickle-down economics](#) and offered freedom of choice via [Margaret Thatcher](#)'s sophism..... *There is no alternative.* ¹²¹⁵⁻¹²¹⁸

The social impact soon emerged via a devastating [resurgence](#) of black lung amongst US coal miners with the rapid onset of [progressive massive fibrosis](#). Since the late 1970s, free trade agreements with a [laissez faire](#) doctrine circumvented legislation. Major resources projects are often a [race to the bottom](#) using contingent labour hire that obfuscates [duty of care](#). A merger of state and corporate interests has increased the risk of [regulatory capture](#) throughout every structural level of government, especially in [Business Queensland](#). The fundamental tenets of work, health and safety, which include genuine independence and tripartite arrangements, have been relinquished via the attenuation of trade union power. [McGarity](#) provides further extensive discussion and analysis of these sociopolitical issues in *Freedom to Harm: The Lasting Legacy of the Laissez Faire Revival*. ¹²¹⁹⁻¹²²²

Resurgence of black lung

Emasculation of mining unions across the United States during the 1980s undermined many preventive mechanisms enacted by legislation and a [production over protection dichotomy](#) prevailed. Most inspections from regulatory authorities were often prearranged or merely symbolic. Employees holding statutory positions would fabricate dust monitoring reports and instruments were strategically located near ventilation supply shafts. It produced compliant results and guaranteed that documented records of atmospheric conditions in the working environment conformed to legislative requirements. ¹²²³⁻¹²²⁴

Most of the larger coal seams were depleted by rapacious demands and remaining sections in many underground mines are much narrower and more restrictive. This requires additional blasting through surrounding rock to accommodate larger cutting machinery, ventilation ducts and materials handling equipment. It increases the risk of exposure to highly toxic [respirable crystalline silica](#), which can cause [silicosis](#). Innovative processes were also introduced to increase productivity, such as longwall [top coal caving](#) that generates even more dust. Moreover, miners are offered substantial performance bonuses to achieve extraordinary production targets that require extended rosters with prolonged shifts and reduced recuperation. Additional scientific research indicates chemically reactive substances such as [iron pyrites](#) are having a synergistic effect and contributing to the rapid onset of [progressive massive fibrosis](#). The most frustrating aspect for epidemiologists investigating resurgence of black lung is knowing that the disease is entirely preventable. ¹²²⁵⁻¹²²⁹

It can only emerge following prolonged exposure with inhalation of excessive amounts of respirable coal mine dust. Irrespective of the cause, preventive measures are required and controls must be reliable and proportional to the associated risk. During 2014 the [Mine Safety and Health Administration](#) in the United States established [statutory](#) requirements for continuous monitoring of coal dust. The exposure standard was reduced to 1.5 mg/m³ and if concentrations are exceeded, immediate measures must be taken to reduce dust levels below the prescribed limit. Precautionary health controls include lung function testing via [spirometry](#), which detects respiratory tract impairment and assists with the diagnosis of black lung. However, additional preventive actions are required using advanced mechanical extraction and local exhaust ventilation techniques with improved design to further reduce dust exposure. This must be supported by mandatory participation in health screening and surveillance protocols. [1230-1232](#)

Boys from the black stuff

Another intriguing enigma emerged during investigations into the [resurgence of black lung](#) across the United States. This involved prevalence of the disease amongst Australia's coal miners, especially throughout [Queensland](#). It is a significant regional producer and currently accounts for 52% of the nation's black coal production. This includes many underground and open cut coal mines employing approximately 30,000 people. [1233-1234](#)

A review of the [Queensland Coal Board Coal Miners' Health Scheme](#) during the early 1980s identified 75 suspected cases of black lung. The subsequent [Rathus](#) report generated an insouciant response from regulatory authorities and most coal mine operators. Over many years a collective perception emerged across the entire Australian coal mining industry. It foolishly accepted that black lung had been eradicated and was a disease of the past. This view was widely acknowledged by coal mine operators, regulators, trade unions, safety professionals, industry associations, occupational hygienists and many miners. It was quite extraordinary and rather astonishing given the [prevalence rate](#) throughout the United States fluctuated between 2% and 12%. Moreover, operating conditions and exposure risks in the Australian coal mining industry were identical. However in May 2015, a Queensland coal miner was officially diagnosed with black lung. It was publicised several months later as the first case of the disease in the Queensland coal mining industry for over 30 years. [1235-1237](#)

Before September 2015, coal miners in Queensland were routinely informed that its health scheme had failed to identify any cases since 1984 and the disease had been eradicated. This [bad faith](#) was accepted at face value and remained unchallenged over several decades. A misinformed complacency inculcated many people throughout the coal mining industry to underestimate a significant operational risk.....*It was perfectly foreseeable but nobody was looking.* This was corroborated in March 2017 by testimony from [Dr Robert Cohen](#) during the Queensland parliamentary [inquiry](#) into the resurgence of black lung. If approximately 30,000 miners are producing almost 250 million tonnes of coal each year without a single diagnosis of coal workers' pneumoconiosis, maybe the surveillance program is ineffective. Recognition or plaudits for its eradication appear rather illogical and it is somewhat gullible to believe the disease disappears when you cross the border into New South Wales and work at mines throughout the Hunter Valley or the Illawarra. Indeed, a frequently repeated [axiom](#) from the medical profession resonates.....*Absence of evidence is not evidence of absence* ¹²³⁸⁻¹²⁴³

The [Safe Work Australia Act 2008](#) prescribes requirements covering the establishment and [functions](#) of Safe Work Australia. This includes liaising with other countries or international organisations on matters relating to work health and safety or workers' compensation. There are good lessons to be had from global networking. Indeed, a [recent review](#) of its functions confirms international engagement and liaison is probably a legitimate responsibility. It suggests a single entity should correspond with overseas agencies and act as a national repository and interface. This guarantees consistency and relevant information can be disseminated to individual jurisdictions. However, any collaboration with the [International Commission on Occupational Health](#) or black lung [research establishments](#) was somewhat ineffective. It appears Safe Work Australia's international delegates maybe suffering from noise induced hearing loss or.....*Too much Cash and no panache.* Substantive evidence during the Queensland [parliamentary inquiry](#) into black lung indicates administration of the [Coal Mining Safety and Health Act](#) and subordinate regulations was appalling. There was a catastrophic breakdown of its regulatory system that was intended to secure and protect the health of coal miners and International Labour Organization convention [C176](#) is yet to be ratified by the federal government. The Queensland [Department of Natural Resources and Mines](#) failed to assure the safety and health of persons at coal mines or other people affected by mining operations. ¹²⁴⁴⁻¹²⁵¹

The risk of injury or illness was unacceptable and provisions for monitoring administration and effectiveness of the legislative framework were deplorable. It is neatly summarised within the [Federal Coal Mine Safety and Health Act 1969 US Public Law 91-73 \(USA\)](#). This was endorsed by President Richard Nixon almost 50 years ago and confirms... *The first priority and concern of all in the coal mining industry must be the health and safety of its most precious resource - the miner.* ¹²⁵²

A significant amount of criticism during the Queensland [parliamentary inquiry](#) involved ethics and genuine independence of the regulatory authority. This was initially raised in June 2008 and merely involved sanitisation with a [coat of distemper](#) from the Queensland [ombudsman](#). It concluded the [Department of Mines and Energy](#) compliance activities were acceptable and did not raise any cause for concern. However, there was a reasonable perception of [regulatory capture](#) throughout the inspectorate. This was recently corroborated by [Jeremy Buckingham](#) and supported via extensive research from [Graham Readfearn](#) on behalf of the [Australia Institute](#). It indicates revolving doors are spinning like a roulette wheel in an era of [casino capitalism](#), especially throughout [Business Queensland](#). ¹²⁵³⁻¹²⁵⁹

Another issue of significant concern involved the regrettable performance of the [health surveillance unit](#) within the [Department of Natural Resources and Mines](#). It was established in 1998 to administer the [Coal Mine Workers' Health Scheme](#). However, during the mining boom it was hopelessly under resourced with meagre and often variable staff levels. Its role was purely administrative without sufficient capacity, capability or competency to provide any meaningful [exploratory data analysis](#) or clinical review of health assessment records. ¹²⁶⁰⁻¹²⁶³

Preliminary chest x-rays and spirometry tests were used by [nominated medical advisors](#) to diagnose a disease that manifests over a prolonged period and initial assessments were despatched to the [health surveillance unit](#). The medical records were rudimentarily stored in a feeble attempt to ensure confidentiality without any [meaningful analysis](#) or scrutiny from an occupational disease specialist. This inability to provide trend or data analysis of coal mine dust diseases failed to fulfil the scheme's objectives and the department merely served as a health records storage facility. Even basic administrative functions were overwhelmed during the resources boom, which created an enormous [backlog](#) of health records. Indeed, at one specific location confidential documents were bunged into a [janitor's broom cupboard](#) adjacent to the female toilets. ¹²⁶⁴⁻¹²⁶⁶

Additional storage facilities, which included [freight containers](#), were eventually acquired at its Redbank research facility. However, unsuitable and improper environmental conditions destroyed most x-rays and rendered many of the health records illegible, which may have unintentionally preserved confidentiality requirements. [1267](#)

Steve's story

During the Queensland parliamentary [inquiry](#) into coal workers' pneumoconiosis a former miner who was recently diagnosed with black lung appeared before the select committee. The victim had extensive coal mining experience and provided a harrowing [testimony](#) of the callous indifference meted out by numerous corporate behemoths and their socially autistic leaders. This was often antagonised by unbearable and painstaking bureaucracy from inhumane and officious public serpents. His plight eventually culminated in a repulsive acknowledgement from [WorkCover](#) Queensland. It concluded there was insufficient evidence of permanent impairment and specified an acerbic and mordant offer of zero dollars compensation. [1268-1270](#)

The victim provided explicit [accounts](#) of unannounced and invasive home visits by company appointed nominated medical advisors during evenings and at weekends. This usually involved intimidating and coercive demands for personal and confidential information, which was often a superfluous, insignificant or irrelevant exercise. It is not an isolated case and discussions between other [casualties](#) in their own support network indicate they were tossed on the scrapheap and left to suffer a painful and often lonely death. [1271-1272](#)

The only assistance came from the Construction Forestry Mining and Energy Union via its [Dust to Dust Make Black Lung History](#) campaign. Indeed, many in the medical profession, industry associations, social services and regulatory authorities turned their backs with a display of inhumane nonchalance. Despite substantial [recommendations](#) following the parliamentary inquiry many officials remain somewhat detached or unconcerned. [1273-1274](#)

Progress has become painstakingly bureaucratic and extremely political, especially with the [Adani Carmichael](#) race to the bottom looming on the horizon. It is most interesting that black lung is now furtively and collectively categorised with other mine dust lung diseases on the regulatory authority [website](#). This reducible self-serving bias appears eerily familiar and is merely another surreptitious attempt to spread the risk or socialise loss, which mitigates corporate and state financial risks and preserves individual reputations. [1275-1276](#)

During the [testimony](#) the victim became emotionally and visibly distressed whilst recalling the abhorrent treatment endured since receiving his diagnosis. The psychosocial stress was undoubtedly taking its toll. It was exacerbated by unremitting financial pressure, which included expensive medical treatment bills without any form of income or assistance from social services. The family was surviving from a small inheritance following the death of his father and will eventually lose their home. [1277](#)

The plight of other [victims](#) is as equally intimidating and traumatic. Permanent employees diagnosed with the disease are subjected to a [functional capacity evaluation](#) and frequently provided with deceptive or conflicting information. Many are forced to attend meetings with management representatives to discuss their predicament without any legal representation. In some cases employees identified with minor [impairment](#) are returned to underground duties and merely offered a dust mask to reduce additional exposure and prevent further harm. Current employees without evidence of impairment usually pay for their own [medicals](#) and inductions but never receive any reimbursement. Individuals who raise issues relating to excessive dust or other safety concerns are invariably shuffled between crews and often constructively dismissed. [1278-1281](#)

The bulk of [dust monitoring](#) at many mines is performed during respites in production to ensure results are compliant. The findings are submitted to statutory authorities, who often engage former mine superintendents as inspectors to monitor compliance and administer enforcement. Despite repeated requests from underground miners, the substandard return, travel and belt [roadways](#) are rarely maintained and dust suppression or mitigation devices are usually broken or non-existent. [1282-1283](#)

Much of the workforce on many projects is contingent interstate labour engaged through recruitment or [hiring agencies](#). This provides corporate behemoths with a [commercial veil](#), that obfuscates [duty of care](#) and casual employees are often intimidated and treated like dirt. If contingent labourers speak the truth to power, challenge the orthodoxy or raise safety issues they are eventually sent packing, placed on blacklists and excluded from other sites or projects with little hope of any redress. Civil action will inevitably degenerate into an increasingly bureaucratic nightmare. It can become quite a convoluted and futile exercise if the victim was engaged under several agencies over a prolonged period and the virtual organisations have insignificant assets. [1284-1286](#)

The [Calibre Group](#) is a major provider of contingent labour and principal clients include Rio Tinto, BHP and Fortescue Metals Group. During the resources boom its head of [corporate affairs](#) and stakeholder relations was the federal Labor party leader's [squeeze](#) and daughter of a former governor-general. Its managing director is also a [board member](#) with Workplace Health and Safety Queensland. At one [public hearing](#) the Queensland Resources Council chief executive officer was challenged by the select committee about intimidation of workers but was unable to verify allegations without any evidence. Maybe he should have attended several of the many [public hearings](#), especially in regional Queensland or browsed through the transcripts. The chief executive officer has since resigned and is now a director and board member with [WorkCover](#) Queensland. His replacement in the [industry association](#) is a former [federal minister](#) for industry and science. Regulatory capture is indeed a vile calumny but almost impossible to prove without a precise definition of public interest. This [social atomisation](#) and [commodification](#) process objectifies risk and eviscerates civil society and its ancillary support structures. It is dehumanising and eventually destroys any skerrick of compassion, trust or dignity. It is very reminiscent of [Margaret Thatcher's](#) Britain during the early 1980s with her screeching monotonous [war cry](#).....*There is no such thing as society*. The social impact was chillingly depicted in the highly acclaimed television series [Boys from the black stuff](#). It is also reinforced by the late existentialist philosopher [Simone de Beauvoir](#).....*Society cares for the individual only so far as he is profitable.* [1287-1300](#)

In 2002, an extensive review of the regulatory authority's health surveillance unit and its specific functions revealed major inconsistencies with the [coal mine workers' health scheme](#). The subsequent report provided significant opportunities for improvement. However, most of the suggestions were ignored and almost 14 years later the [Monash](#) review in 2016 revealed many similar anomalies. The failure to implement recommendations rendered the scheme meaningless and the procrastination merely compounded the anxiety and suffering of many affected miners and their immediate dependents. Dust monitoring has been intriguingly categorised as [prevention](#) although it is a reactive control measure and does not address the problem at the source. It is about as reliable as a [Queensland rail](#) transport timetable and the provision of personal dust monitors to underground miners has sinister totalitarian objectives. Results will be carefully scrutinised and any labour hire contractors exposed to excessive dust will receive a clinical don't come Monday text message with their flight details home. [1301-1305](#)

In coal blood

The Queensland parliament select committee [report](#) into black lung provides an anatomy of yet another disaster in Australia's mining industry. During numerous public [hearings](#) harrowing testimonies left committee members and other attendees bewildered and emotionally distraught. Despite pledging an avowed intent to cooperate with the inquiry the response from many panjandrams in the [Department of Natural Resources and Mines](#) was pitiful and shameful. The [inquiry](#) encountered repetitive and potentially unethical conduct from several senior officials, which included obstruction and obfuscation in a furtive attempt to avoid accountability and protect reputations. [1306-1309](#)

During one [public hearing](#) counsel assisting explored whether excessive exposure to respirable coal dust was categorised as a principal hazard or operational risk. It produced a somewhat vague and imprecise response from several senior regulatory authority officials, which was exacerbated by a petulant retort from its chief inspector of coal mines. Furthermore, several accredited auditors under the Queensland state government self-insurance [scheme](#) failed to recognise respirable coal dust as a material risk and the independent [JAS-ANZ](#) auditing scheme was as equally ineffective. [1310-1312](#)

Many regulatory authority officials were woefully [unprepared](#), confrontational and unwilling to acknowledge any criticism despite overwhelming evidence of incompetence and bungling ineptitude, especially within its [health surveillance unit](#). Cooperation from several senior executives and officers was deplorable and their mediocre response fell well below the expected professional standards of public service officials. [1313-1314](#)

Indeed, a dichotomy between securing the health and safety of its workers and supporting industry productivity prevailed. It is also worth noting that similar inconsistencies were identified during the [Royal Commission](#) into the home insulation program. This can only be resolved by removing the fox from the henhouse and establishing a truly autonomous [statutory authority](#). It must be inaugurated under its own legislation and governed by a board of directors with the [commissioner](#) appointed as its chairperson. This must embody a mines inspectorate to monitor and enforce compliance with statutory requirements and investigate potential offences. The incumbent commissioner must be provided with absolute [statutory independence](#) and remain detached from any ministerial influence. [1315-1318](#)

Major mining conglomerates and the [Queensland Resources Council](#) provided [submissions](#) to the public inquiry. The embellished documents resembled the sanitised police witness statements following the [Hillsborough](#) disaster and were almost as authentic as an [AMP](#) life assurance policy.....*It is discouraging how many people are shocked by honesty and how few by deceit.* Indeed [BHP Billiton](#), the largest coal mine operator in Australia, declined to discuss its [Broadmeadow](#) operations at a specific [public hearing](#) and its representatives were forced to attend the parliamentary inquiry under [summons](#). [1319-1327](#)

Additional and unnecessary impediments were even bestowed on the parliamentary inquiry from its executive government. The [acting premier](#) refused [authorisation](#) for counsel assisting to travel with delegates to the United States. It was critical to the inquiry and enabled the committee to gather valuable diagnostic evidence from several internationally renowned establishments including the [Black Lung Centre of Excellence](#) in Chicago. This internecine bickering provided further evidence of the executive government's shallow commitment and indiscretion, especially following the lavish sojourn of several federal parliamentarians for [overseas studies](#) in Hyderabad at the expense of taxpayers. Any skerrick of judgement from the acting premier, Jackie Triad must have been clouded by overexposure to ambergris at a nearby day spa. Approval was eventually authorised by [Annastacia Palaszczuk](#), whose former squeeze was a [lobbyist](#) for [Adani](#) mining in Australia. [1328-1334](#)

The select committee's subsequent report provided [68 recommendations](#) many of which received a sinister Orwellian and half pregnant [in principle](#) rejoinder from the minister. The response has been painstakingly slow and a tyranny of bureaucracy prevails. This includes establishment of a project management office for additional consideration of the recommendations, especially statutory independence. It involves a [Likert](#) scale survey and the qualitative results are easily manipulated by framing the [null hypothesis](#) to achieve a predetermined outcome and it appears the [regulatory authority](#) is rather reluctant to relinquish its power.....*Lies damned lies and statistics.* The outcome included the [Resources Safety and Health Queensland Bill 2019](#), which further emasculated the existing legislative framework and offered corporate brigands a malevolent freedom to harm. [1335-1339](#)

Furthermore, the recent [dust and respiratory health forum](#) with its [scientism](#) and inordinate emphasis on health studies and reactive personal dust monitoring increased [obscurantism](#) and generated more questions than answers. It disclosed much about what is [unknown](#) regarding the acute and chronic health effects of exposure to respirable coal dust, silica and diesel particulates. [1340-1343](#)

The mercenary malapert, [Clive Palmer](#) an Australian replica of [Don Blankenship](#), is the only notable omission from the [advisory board](#) at the [Sustainable Minerals Institute](#) and several other renowned corporate terrorists such as [Union Carbide](#) or [Occidental Petroleum](#) are not registered or acknowledged as [sponsors](#). It has forced black lung victims to establish their own [support network](#) with the appointment of [Greg Combet](#) as its patron. The death toll is escalating and many miners are experiencing [occupational lung diseases](#) with increasing medical bills. The trauma extends to immediate dependents and close relatives who usually fund contingent expenses, which enhances psychosocial risk. Miners who are engaged through labour hiring agencies often remain undiagnosed and continue working to preserve livelihoods and support struggling families. This circumvents expensive medical examinations, therapeutic treatment and substantial travel costs, especially throughout [regional Queensland](#) where physicians and suitably equipped facilities are unavailable. Many of the victims and their dependents have been callously disregarded by mercenary corporate behemoths who have privatised profits, socialised the loss and screwed more miners than [Cardinal George Pell](#), [Rolf Harris](#) and the late [Sir Jimmy Savile OBE KCSG](#). ¹³⁴⁴⁻¹³⁵⁵

The mining conglomerates failed to fulfil their duty of care and provide a safe place and systems of work in accordance with [statutory requirements](#). Meanwhile several panjandrums and Pecksniffian public serpents within the [regulatory authority](#) sacrificed truth to evade accountability and protect reputations. Moreover, the [health scheme](#) with its hopelessly under-resourced and shameful [health surveillance unit](#) evaporated and was unable to detect or diagnose the emergence of mine dust lung diseases over several decades. It left many victims chasing smoke and wallowing in a swamp of despair and miasma of [anomie](#). ¹³⁵⁶⁻¹³⁶⁰

Casualties and their dependents have recently approached their elected parliamentarians and the mining companies for assistance with their plight. It includes a [proposal](#) covering payment of one cent per tonne of coal produced each week by Queensland's coal mining [companies](#) to establish a victim impact fund, which will be administered by nominated employer, employee and state government representatives. This will enable [mobile](#) diagnostic and testing facilities to operate throughout regional Queensland and provide former, current and retired miners with a precious and badly needed resource that can be extended to include counselling services for families and close relatives. ¹³⁶¹⁻¹³⁶³

A similar scheme operates in the United States and another was eventually negotiated with [James Hardie](#) on behalf of asbestosis and mesothelioma victims in Australia. It is an extremely modest request and merely ash tray money considering the Queensland coal industry exported approximately [\\$40 billion](#) worth of coal during the last financial year. [1364-1365](#)

In December 2015 approximately 40 permanent Glencore [Oaky North](#) coal miners were involved in a dispute regarding [health surveillance](#) and validity of their chest X-rays. The employees [withdrew their labour](#) under the provisions of statutory legislation and refused to work underground until personal chest X-rays were screened in accordance agreed [classification protocols](#) and a [recognised standard](#). Despite the risk, many vulnerable [contingent labourers](#) were somewhat reluctant to support their colleagues and uncritically accepted the prevailing circumstances. The dissidents were immediately categorised as recalcitrant rabble rousers, segregated from colleagues and treated like pariahs. Meanwhile, the site senior executive began [answer shopping](#) and sought reassurance from the [Department of Natural Resources and Mines](#) to confirm [health surveillance](#) protocols aligned with [statutory obligations](#). Following a somewhat vague guarantee, most activists returned to work although it eventually transpired that no Australian medical providers were [independently accredited](#) to screen chest X-rays in accordance with [prescribed](#) classification protocols. The remaining steadfast apostates were incarcerated in a remote office for their outstanding shifts and spent the time playing cards or watching four wheel drive videos. [1366-1377](#)

This incurred the wrath of an adversarial [site senior executive](#) who burst into the oubliette and began remonstrating with the detainees and ripping computer cords and power leads from sockets in a frantic but unsuccessful attempt to shut down the video equipment. A technician from the training department was eventually despatched to disconnect the cords and the recalcitrant dissidents were left staring at four walls to atone for their sacrilegious insurrection. This extraordinary frenzy was aggravated by unethical behaviour towards a [subordinate](#) who was recently diagnosed with black lung and transferred from [underground operations](#) to a less hazardous environment. The victim merely enquired about the prevailing circumstances and his future prospects, which provoked a rather intimidating and inhumane response. He was not told to [foad](#) but the insensitive rejoinder was somewhat incongruous with statutory rehabilitation and [return to work](#) processes and provision of [suitable duties](#). [1378-1383](#)

During a subsequent parliamentary [public hearing](#) in Brisbane, the despotic recidivist begrudgingly offered to deliver a belated apology to the victim although the nobility of words requires preventive action to address the problem at the source. The site senior executive role demands accountability for strategic direction and operational performance of a large scale mining asset producing metallurgical coal for the export market. It also prescribes [statutory](#) requirements to ensure risks to persons from coal mining operations are reduced to an [acceptable level](#). However, it does not countenance the [intimidation](#) of vulnerable workers suffering from debilitating [occupational lung diseases](#). Such unprincipled behaviour from any professional beholden to a [code of ethics](#) would almost certainly attract [disciplinary action](#) leading to expulsion. Nevertheless, it appears the revolving doors are extremely well lubricated and much better maintained than ventilation and dust suppression equipment in underground coal mines. The uncouth socially autistic mercenary recently secured a [senior](#) role with another [corporate guerrilla](#) offering a substantial remuneration as the [mine dust lung diseases toll](#) escalates and.....*Nothing is more despicable than respect based on fear.* [1384-1393](#)

These systemic callous traits are not isolated incidents and several Glencore employees were [threatened with reprisals](#) for attending regional [public hearings](#) during the Queensland parliamentary inquiry. This was further reflected by the disdain and contempt from [BHP Billiton](#) when its representatives were forced via [summons](#) to attend a hearing in Brisbane. The [Department of Natural Resources and Mines](#) response was as equally appalling and exacerbated by its dilatory leadership and lack of [statutory independence](#). Despite repeated assurances regarding unequivocal cooperation the committee was incensed by the repetitive bungling ineptitude displayed by many irresponsible panjandrums. [1394-1399](#)

Numerous miners provided evidence regarding intimidation and an inordinate priority of [production over protection](#). It became quite evident that most workers, especially contingent labourers were reluctant to raise [safety issues](#). Individuals who complained about dust levels were usually categorised as incessant whingers, persecuted, constructively dismissed or relegated to menial inferior roles. The intimidating militaristic tactics often included allocation of unfavourable duties or [jankers](#), such as scrubbing out trucks or an undesirable assignment with the development ball gang. It discouraged and silenced many workers, especially contingent labourers who remain fearful of retribution. [1400-1402](#)

Anecdotal evidence suggests the problem is far worse and much more oppressive when female site senior executives are involved. This aligns with the [reflections](#) of the late renowned US cultural anthropologist [Margaret Mead](#).....*I do not believe in using women in combat because females are too fierce*. Intimidation was raised with the [Queensland Resources Council](#) during a [public hearing](#) in Brisbane and provoked an extraordinary response from its chief executive officer. Despite visiting many sites and speaking with workers in crib rooms further substantive evidence was requested to verify allegations. In yet another display of feeble and mendacious leadership, the [chief executive](#) resigned amidst the crisis and was recently [rewarded](#) with a sinecure on the board of [WorkCover Queensland](#). His successor the [Grand Wizard Ian Macfarlane](#), a former federal [Minister for Industry and Science](#) from Kingaroy was busy plucking at a banjo in the public gallery and devising strategies to protect corporate and shareholder interests and socialise the loss. Meanwhile, the state government juggles with chain saws to protect its virtual pot of gold that masquerades as a workers' compensation scheme...*There is no passion so contagious as that of fear.* ¹⁴⁰³⁻¹⁴¹³

The International Labour Organization [C176 - Safety and Health in Mines Convention 1995](#) remains unratified. National uniformity and harmonisation with tripartite arrangements and true independence are merely a pipedream amidst a sinister alliance of corporate and state interests with a malevolent freedom to harm. Meanwhile, in deep north Queensland it is reminiscent of [Mississippi Burning](#) as the mine dust lung diseases toll climbs. It currently exceeds [120 confirmed cases](#) and evidence from the [United States](#) and the recent University of Queensland dust and respiratory health forum indicates it will continue escalating. Pristine [hearses](#) are waiting in the driveway at many homes of Queensland miners and the words from [Karl Marx](#) resonate.....*History repeats itself, first as tragedy, second as farce.* ¹⁴¹⁴⁻¹⁴²⁹

So come back, [Emma Goldman](#), rise up, old [Joe Hill](#)
The barricades are goin' up, they [cannot break our will](#)
Come back to us, [Malcolm X](#) and [Martin Luther King](#)
We're marching into [Selma](#) as the bells of freedom ring
So come back [Woody Guthrie](#), come back to us now
Tear your eyes from paradise and rise again somehow
[An economy is not a society, sous les pavés la plage](#)

Every grain of sand

Start with what is right rather than what is acceptable

Franz Kafka ¹⁴³⁰

Silicosis, which is also known as miners' phthisis or grinders' asthma is an occupational lung disease and form of pneumoconiosis caused by inhalation of respirable crystalline silica. It was initially recognised by Bernardino Ramazzini, an early pioneer in occupational medicine. The Italian physician identified arenaceous substances in the lungs of stonemasons, which produced classic asthmatic symptoms such as coughing, fever, dyspnoea and cyanosis. The disease was often incorrectly diagnosed as pulmonary oedema, pneumonia or even tuberculosis. During the industrial revolution the frequent use of powered hand tools such as the pneumatic hammer drill and sandblasting techniques generated more dust and increased its prevalence. This was evident throughout the Welsh slate industry, especially around Blaenau Ffestiniog in the late nineteenth century. A subsequent study revealed many slate miners were frequently exposed to quartz or silica dust and predisposed to contracting tuberculosis, which often left them maligned as potential sources of infection. ¹⁴³¹⁻¹⁴⁴⁶

An overly simplistic cause effect ideology soon emerged with the social amplification and attenuation of risk to protect or secure vested interests of various factions. General practitioners in the region refuted the findings with one physician even claiming slate dust was beneficial to health. The medical consensus held that its extraordinary incidence rate was influenced by the prevailing perception of tuberculosis as a social disease. Quarry owners maintained quartz was no more harmful than road dust and the prevalence of tuberculosis was merely coincidental. Any introduction of preventive legislation would incur substantial expenditure and render the industry economically unviable. Despite legislation under the British Factories Acts, which required containment of dust at the source, efforts were directed towards behaviourism and included education of housewives. Even by the 1930s, very little was accomplished regarding prevention of exposure to dust hazards. The prevailing sociopolitical and economic conditions rendered unions ineffective and miners were reluctant to report the disease lest they were dismissed as asymptomatic carriers. This traditional blame the victim doctrine persists and is reflected by the contemporary reactive focus on monitoring dust levels with prescribed limits for coal mines, quarries and tunnelling.....*Plus ça change, plus c'est la même chose.* ¹⁴⁴⁷⁻¹⁴⁵⁹

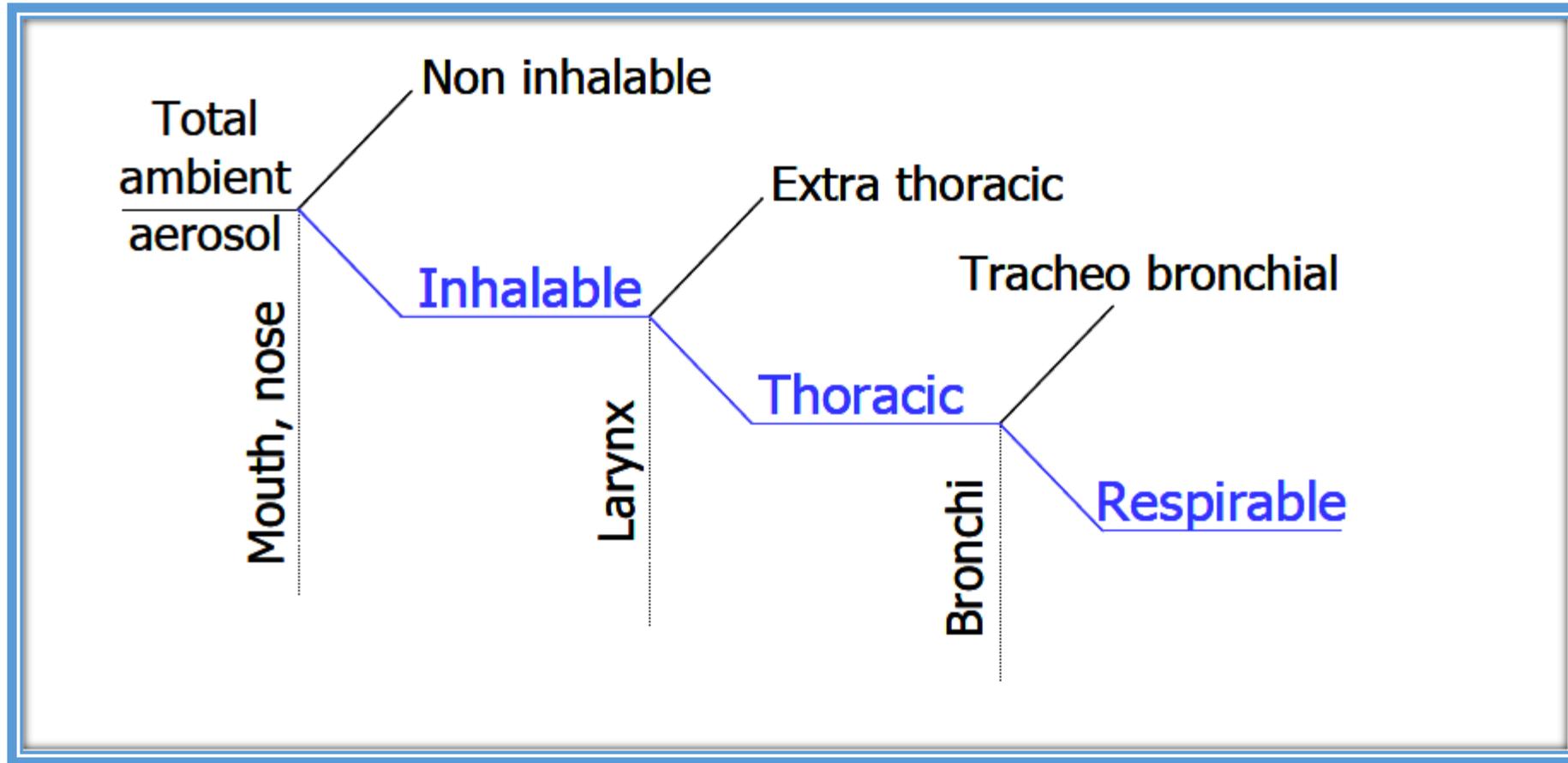
Industrial disease

Silicon is an extremely common element and when combined with oxygen it forms silicon dioxide or **silica**, which accounts for almost 75% of the earth's crust. It is a major component of sand and also found in soil, mortar, plaster and shingles. **Silica** occurs naturally in many **igneous**, **sedimentary** and **metamorphic** rocks such as **granite**, **sandstone**, **slate** and **gneiss** or as silicates in metallic ores, which are chemically combined with cations. These include **talc**, **mica** and the notorious **asbestiform** minerals **chrysotile**, **crocidolite** and **amosite**. ¹⁴⁶⁰⁻¹⁴⁷⁵

Free **silica** exists as pure silicon dioxide with **crystalline**, **cryptocrystalline** or **amorphous** structures that are not chemically combined with other elements. Its crystalline **polymorphs** include **quartz**, which is one of the most abundant minerals on earth. **Cristobalite** and **tridymite**, are much less common and occasionally found in some igneous rocks. These substances are extremely resilient and chemically inert with exceptionally high melting points. It makes them ideal for many industrial applications including refractory processes and other activities such as drilling, grinding, cutting, crushing, milling and **abrasive** or **sand blasting**. This generates **airborne contaminants** and potential exposure to highly toxic **respirable crystalline silica**, which may cause **silicosis** and many other pulmonary complications. The hapless victims are often predisposed to **tuberculosis** and **autoimmune diseases** including **nephritis**, **scleroderma** and **systemic lupus erythematosus**. Moreover, crystalline silica has been classified as **carcinogenic** by the **International Agency for Research on Cancer**. ¹⁴⁷⁶⁻¹⁴⁹⁵

Exposure to **crystalline silica** with the onset of **silicosis** and **other related diseases** is particularly dependent on **particle size distribution** and aerodynamic properties. This determines fractions that are likely to penetrate the respiratory system's **inhalable**, **thoracic** and **respirable** regions, which are defined by **BS EN 481:1993** and summarised in **Figure 4** and **Figure 5**. Under these conventions, a 4µm (micron) diameter dust particle has a 50% chance of penetrating the alveolar region of the lungs and causing pulmonary complications. The risk decreases exponentially to a 30% likelihood with inhalation of larger 5µm dust particles. Conventions in **ISO 7708:1995** provide further details on **numerical values** as percentages of total airborne particulates....*There's panic at the coal face and tongues are tied in knots, some come out in sympathy, some come out in spots. Some blame management or militant employees but everybody knows it's an industrial disease.* ¹⁴⁹⁶⁻¹⁵⁰⁴

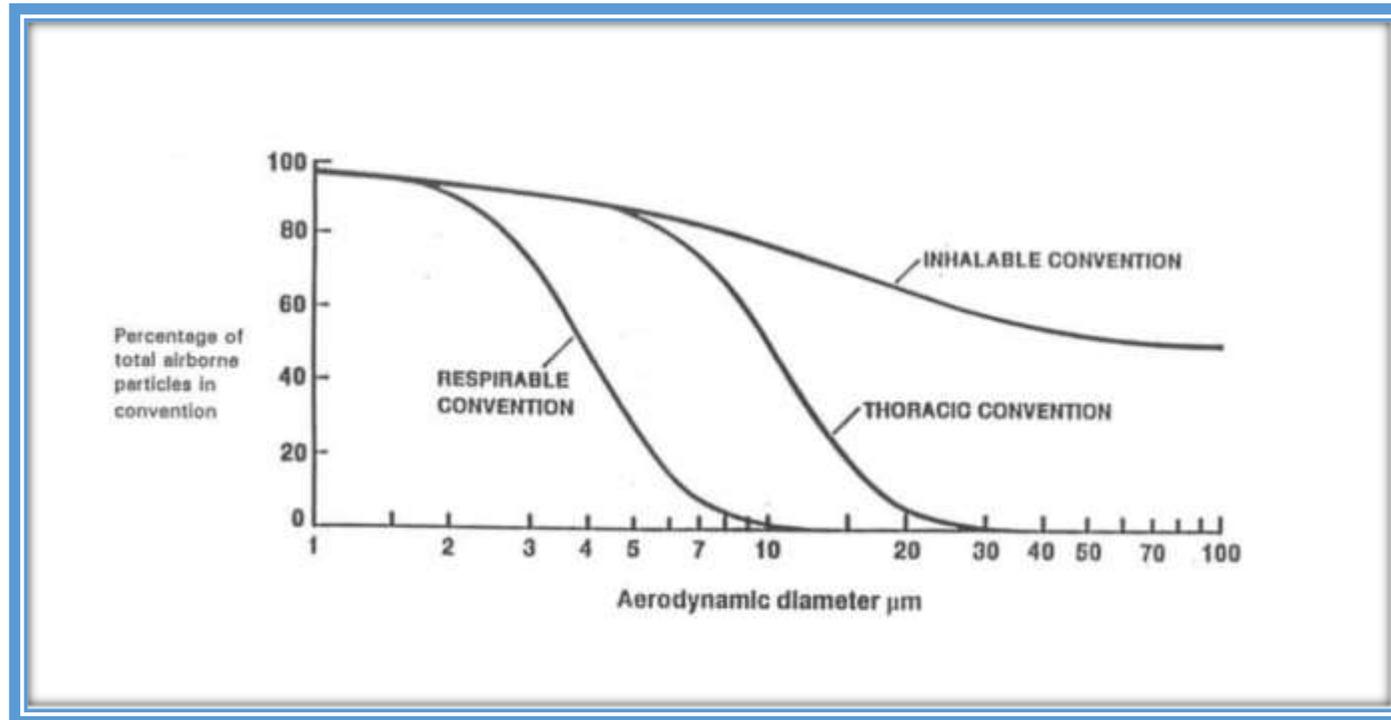
Figure 4: Inhalable, thoracic and respirable regions



Dichotomous model of aerosol fractionation according to Görner P. and Fabriès J.F. Available from:

https://www.nepsi.eu/sites/nepsi.eu/files/content/editor/good_practice_guide_-_english_original_additional_task_sheets_-251006_modified_16072012-.pdf; (p. 10).

Figure 5: Dust fractions



The inhalable, thoracic and respirable conventions as percentages of total airborne particles.

Available from BS EN 481:1993 Workplace atmospheres: Size fraction definitions for measurement of airborne particles British Standards Institution:

<http://infostore.saiglobal.com/store/details.aspx/details.aspx?ProductID=666644>

Occupational silicosis

Occupational exposure to [respirable crystalline silica](#) occurs across a comprehensive range of [industrial sectors](#). This includes [quarrying](#), [mining](#), [mineral processing](#), [foundries](#), [stonemasonry](#), [refractory processes](#), [construction](#), [tunnelling](#), [demolition](#), [pottery](#), [glass](#), [ceramics](#), and [cement and concrete](#) manufacturing. In some operations, especially with ineffective [ventilation](#), dust emissions are often unnoticeable and extremely fine particles remain airborne and uncontrolled for prolonged periods. The consequences are dependent on many variables and [risk factors](#) include the nature, frequency and intensity of exposure, physicochemical dust properties and the operator's physiological attributes. These may be exacerbated by [unhygienic conditions](#) and personal habits such as [smoking](#). ¹⁵⁰⁵⁻¹⁵²³

[Silicosis](#) is a recognised [occupational fibrotic lung disease](#) and its severity varies from simple or complicated forms to [progressive massive fibrosis](#). It is caused by inhalation of [respirable crystalline silica](#) and usually [categorised](#) into three principal classifications. [Acute silicosis](#) occurs following severe exposure over a relatively short period, which produces a rapid progression of [dyspnoea](#) or breathlessness and death typically occurs within several months. [Accelerated silicosis](#) develops within five to ten years following direct exposure to high concentrations of airborne contaminants. [Chronic silicosis](#) manifests over time following prolonged exposure to [low concentrations](#) of respirable crystalline silica in the occupational environment. It is entirely preventable and must be tackled upstream at the source with better design to [eliminate](#) exposure or [reduce the risk](#) via effective engineering. This includes mechanical extraction or [local exhaust ventilation](#) and dust suppression techniques using [water sprays](#) with chemical additives or coagulants. Preventive action should be supplemented with active and passive [dust monitoring](#), education, training and personal protective equipment. This must be complemented by reliable [health surveillance](#) with humane [rehabilitation](#) protocols, especially for the incapacitated and retired victims. ¹⁵²⁴⁻¹⁵⁴⁰

During the early 1990s throughout the [United States of America](#) almost [300 deaths](#) were attributed to silicosis each year and over recent decades the mortality rate has declined. However, a resurgence of [black lung](#) and rapid onset of [progressive massive fibrosis](#) amongst Appalachian coal miners is quite alarming, especially considering the region was the scene of America's worst [industrial disaster](#) during the great depression. ¹⁵⁴¹⁻¹⁵⁴⁵

Town of the living dead

In the early 1930s [Union Carbide Corporation](#) awarded a major engineering contract to [Rinehart & Dennis](#), which involved construction of the [Hawks Nest](#) tunnel beneath [Gauley Mountain](#) in West Virginia. The independent contractor submitted the cheapest tender and the project achieved notoriety as the worst [industrial disaster](#) in [US history](#). It resulted in the deaths of at least [750 construction workers](#) from silicosis although most Americans remain oblivious to the carnage. ¹⁵⁴⁶⁻¹⁵⁵¹

[Union Carbide](#), which was also responsible for the [Bhopal](#) disaster some sixty years later conspired with lobbyists, politicians and media liaison officers to suppress the atrocity. Most of the [hapless victims](#) were stigmatised as destitute African-American drifters from the deep south. The [indentured servants or peons](#) merely hopped aboard trains and headed towards the [Appalachian](#) ranges in search of sustenance during the great depression. This apparently attenuated the desolation, which was further diminished with a [Bernaysian](#) dexterity that [crystallised public opinion](#) and the corporate barbarism was sanitised and deceptively disguised as the progress of man. ¹⁵⁵²⁻¹⁵⁵⁸

Construction of the [five-kilometre tunnel](#) began midway through 1930 using a continual supply of impoverished migrant labourers. It was part of a deceitful [hydroelectric project](#), which also generated cheap power for the [Electro Metallurgical Company](#), a subsidiary of Union Carbide. The mountain rock contained extremely high concentrations of silica and dry drilling techniques were employed to expedite construction and reduce project costs. ¹⁵⁵⁹⁻¹⁵⁶¹

Blasting, drilling and cutting activities generated persistent clouds of swirling white dust as the labourers toiled without adequate ventilation or respiratory protective equipment. Dozens of peons collapsed under the [oppressive conditions](#) and were hauled outside via wheelbarrows to recuperate in the fresh air. Following a brief respite they were forced to return underground by company appointed guards to complete their [ten-hour shifts](#) or face dismissal. Legions of labourers became seriously ill with [acute silicosis](#) following repetitive, intense and unprotected exposure to significant concentrations of freshly fractured silica dust. Many of the victims died in their beds at the primitive and overcrowded converted boxcars in the project's segregated accommodation camps near [Gauley Bridge](#), which was referred to by the local community as....*The town of the living dead*. ¹⁵⁶²⁻¹⁵⁶⁶

The death toll began to escalate and additional emotive and political issues soon emerged via the [Jim Crow laws](#) and the legal doctrine of [separate but equal](#), which covered racial segregation in public facilities including cemeteries. Repatriation of the deceased became increasingly complicated because many victims were unknown itinerants without any identification, next of kin or dependents. [Union Carbide](#) responded instinctively and a [local undertaker](#) was rewarded with a fruitful contract to bury the victims. The unidentified bodies were unceremoniously loaded onto a neighbouring farmer's flatbed truck and transported to [makeshift cemeteries](#) near [Summersville](#) then dumped into unmarked mass graves. Some incapacitated workers managed to return home and suffered unbearably harrowing deaths. The initial symptoms included a rasping cough and excruciating chest pains with a rapid onset of progressive massive fibrosis until their lungs eventually ossified. ¹⁵⁶⁷⁻¹⁵⁷²

[Union Carbide](#) executives and West Virginia state officials [conspired](#) to conceal the magnitude of the [disaster](#), which was [rarely covered](#) in tertiary education curricula or commemorated via remembrance services. Newspaper editors were somewhat reluctant to publish inflammatory articles and most media reports inevitably [blamed the victims](#). The escalating disease was mistakenly attributed to poor nutrition or an unhealthy diet and unhygienic behaviour. During the late 1930s the [state governor](#) described a federal writers' project and guide covering the region as blatant propaganda and refused to sanction its publication until references to the disaster were moderated. After leaving office, the former democrat, [Governor Homer Holt](#) was rewarded with a sinecure as general counsel with Union Carbide. ¹⁵⁷³⁻¹⁵⁷⁹

The corporate turpitude displayed by [Union Carbide](#) is incontestable. The primary objective of the [Hawks Nest](#) project was to provide cheap power for the adjacent metallurgical facility and use the excavated silica for production of precious ferrosilicon alloys, which were an extremely popular commodity throughout the steel industry. The creation of the [New Kanawha Power Company](#) was merely a fraudulent tactic that enabled Union Carbide to circumvent [statutory requirements](#) and mine the vast silica reserves and the peons were just collateral damage. Its vituperative recklessness and contemptuous irresponsibility resulted in the deaths of at least 764 workers although the exact number of [fatalities](#) will never be known. In 2009, the [West Virginia Humanities Council](#) awarded a \$10,000 grant towards a [memorial](#) in honour of the victims and the words from [Albert Camus](#) resonate.....*No cause justifies the deaths of innocent people.* ¹⁵⁸⁰⁻¹⁵⁸⁷

Sands of time

Exposure to respirable crystalline silica and development of [silicosis](#) is not restricted to [underground mining](#). It presents a much greater risk than [coal dust](#) and may be responsible for the rapid onset of [progressive massive fibrosis](#) amongst coal miners throughout Appalachia in the United States. In Australia, a former [BHP Billiton Mitsubishi Alliance](#) employee was recently diagnosed with [silicosis](#) and eventually succumbed to the debilitating disease in June 2018. The victim worked for almost 30 years at its [Goonyella Riverside](#) open cut coal mine in Queensland's [Bowen Basin](#). Substantive evidence from a renowned [thoracic physician](#) confirmed the silicosis was quite severe and caused by excessive exposure to respirable crystalline silica throughout a prolonged mining career. [1588-1596](#)

Another coal miner from northern New South Wales developed typical silicosis symptoms following six years work as a contractor with [Anglo American](#) at its [Moranbah North](#) and [Grosvenor](#) underground coal mines in Queensland's Bowen Basin. The victim alleges the [mining behemoth](#) breached its [duty of care](#) and failed to provide a safe working environment. It has left him with extensive scarring of the lungs and [scleroderma](#), an auto immune disease, which restricts blood circulation and creates cyanosis with inflammation of the joints and excruciating pain. Despite the implementation of dust monitoring standards several mines continue exceeding [prescribed limits](#) and very few statutory inspections are [unannounced](#). Indeed most of the corporate transgressors or recidivists treat the regulatory authority with contempt and the workforce as indentured servants or peons, which was quite evident during the [coal workers' pneumoconiosis](#) parliamentary inquiry. [1597-1604](#)

A recent escalation of [acute silicosis](#) amongst tradesmen and [stonemasons](#) with the manufacture and installation of fashionable stone kitchen benchtops has prompted health officials to warn of an impending public health emergency. The [Queensland government](#) issued an alert following the lodgement of [22 recent silicosis claims](#), which included six terminally ill victims. It has been described by a [senior physician](#) as the worst [occupational lung disease](#) crisis since [asbestosis](#) and confirms that [organisations](#) are an anthropomorphic fallacy and have no memory.....*There's a dying voice within me reaching out somewhere, toiling in the danger and the morals of despair. I'm hanging in the balance of the reality of man, like every sparrow falling, like every grain of sand.* [1605-1613](#)

History may not repeat itself but it sure does rhyme and much of the narrative covering the tragic events at [Hawks Nest](#) in West Virginia following the great depression is eerily familiar. Fast forward almost eight decades and there are currently over [120 confirmed cases](#) of mine dust lung diseases throughout Queensland's [mining industry](#) and an unctious of undertakers awaits in a fleet of [pristine hearses](#) instead of a local farmer with a flatbed truck. It was only true leadership and intervention from a determined [member of parliament](#) and an uncompromising [union campaign](#) that initiated a state [parliamentary inquiry](#). ¹⁶¹⁴⁻¹⁶²⁰

Testimonies at many regional [public hearings](#) provided ample evidence of [egregious leadership](#), militaristic [intimidation](#) and pure [corporate bastardry](#) without a skerrick of admonishment from its fawning [industry associations](#). This was reinforced by a conspiratorial sound of silence from the Safety Institute of Australia, despite its promotion and endorsement of [zero harm](#) ideology. Meanwhile, the state government [procrastinates](#) and connives with corporate recidivists and their legal predators to protect vested interests and forestall the establishment of an [independent](#) regulatory authority. A [project management office](#) has over analysed the parliamentary inquiry [recommendations](#) and become unnecessarily and increasingly embroiled in the purity of [scientism](#) or [positivism](#). This has degenerated into a tyranny of bureaucracy with a venal and [reactive focus](#) on [dust monitoring](#) and [health surveillance](#), which has diverted attention from meaningful preventive action. ¹⁶²¹⁻¹⁶³⁵

During the resources boom workers were engaged via monotonous and wearisome [antisocial rosters](#) under [precarious employment](#) arrangements to circumvent duty of care requirements. Accommodation quarters were effectively [concentration camps](#) and no better than the [Manus](#) or [Nauru](#) regional processing centres. The impact on [personal relationships](#) and [socioeconomic](#) consequences for remote communities is [well documented](#) with evidence of escalating [psychosocial risks](#) and increasing [suicide rates](#). ¹⁶³⁶⁻¹⁶⁴⁵

This merger of state and corporate interests has created a [race to the bottom](#) and [regulatory](#) or [policy](#) capture prevails. It is exacerbated by golden escalators or perpetually [revolving doors](#) in a malevolent attempt to protect reputations, secure assets and socialise loss via brutal austerity measures. These are complemented by [quantitative easing](#) and extraordinary low interest rates to stem the haemorrhaging. Meanwhile, the federal government with its failed [free market](#) ideology struggles to restore confidence in a listless global economy that is nothing more than an enormous festering [Ponzi](#) scheme. ¹⁶⁴⁶⁻¹⁶⁵²

Working Man - Rita MacNeil

<https://www.youtube.com/watch?v=IN0FiAsZdKA>

*It's a working man I am
And I've been down underground
And I swear to God if I ever see the sun
Or for any length of time
I can hold it in my mind
I never again will go down underground*

*At the age of sixteen years
Oh, he quarrels with his peers
Who vowed they'd never see another one
In the dark recess of the mines
Where you age before your time
And the coal dust lies heavy on your lungs*

*It's a working man I am
And I've been down underground
And I swear to God if I ever see the sun
Or for any length of time
I can hold it in my mind
I never again will go down underground*

*At the age of sixty four
Oh, he'll greet you at the door
And he'll gently lead you by the arm
Through the dark recess of the mines
Oh, he'll take you back in time
And he'll tell you of the hardships that were had*

*It's a working man I am
And I've been down underground
And I swear to God if I ever see the sun
Or for any length of time
I can hold it in my mind
I never again will go down underground*

*It's a working man I am
And I've been down underground
And I swear to God if I ever see the sun
Or for any length of time
I can hold it in my mind
I never again will go down underground*

*It's a working man I am
And I've been down underground
And I swear to God if I ever see the sun
Or for any length of time
I can hold it in my mind
I never again will go down underground*

God, I never again will go down underground

Spaghetti western

Do not do an immoral thing for moral reasons

Thomas Hardy ¹⁶⁵³

During the 1960s and 1970s at least 1,500 [properties](#) throughout Canberra and its environs were insulated with friable loose fill amosite asbestos via a private contractor, colloquially referred to as [Mr. Fluffy](#). Despite the fairy tale connotations it generated numerous undesirable consequences and significant potential public health risks. Many of these issues remain unresolved and in 2003 the manufacture and use of asbestos throughout Australia was [banned](#). Following the [global financial crisis](#) in 2008 the federal government embarked on a \$42 billion [Keynesian](#) initiative via the [Nation Building and Jobs Plan](#) to stimulate the economy. This involved an [energy efficient homes package](#), which allocated almost \$2.7 billion for the insulation of roof cavities in Australian households. Studies estimated the [cost](#) for insulating an average home was approximately \$1350 and a \$500 rebate would achieve only a 28% uptake over three years. However, the government [encouraged](#) widespread and prompt participation in the [scheme](#) and substantial reimbursements were offered to householders, occupiers and installers. Registration and refunds were completed online and the program was designed to achieve maximum impact and align with economic stimulus and employment objectives. It could be facetiously described as [anti-mimesis](#) with life imitating art. ¹⁶⁵⁴⁻¹⁶⁶⁴

Good, the bad and the ugly

The [home insulation](#) or pink batts program was beset with controversy from its inception and the devastating consequences soon emerged, which included deaths of four young workers in separate incidents. It may also have inadvertently removed the scab from the festering Mr. Fluffy loose fill asbestos insulation sore and reinforced that work health and safety is indeed a [wicked problem](#). The program was administered by the [Department of the Environment, Water, Heritage and the Arts](#) and aimed to retrofit insulation into almost two million homes in just over two years. It initially preferred a sensible, cautious and practicable five-year schedule involving a [regional brokerage model](#) using experienced enterprises to mitigate the inherent risks. However, this was subsequently slashed to two years and unwarily approved by the [Strategic Priorities and Budget Committee](#). The original model was abandoned in favour of an expeditious direct delivery prototype advocated by the [Office of the Coordinator - General](#). ¹⁶⁶⁵⁻¹⁶⁷⁰

This [laissez faire](#) approach was concocted in a futile attempt to fulfil unrealistic ultimatums with an inflexible target date. It was demand driven with reduced entry barriers and provided householders with an extensive choice of registered installers. Before the [program](#) began almost 200 businesses were retrofitting insulation into 70,000 Australian homes each year. The program established extremely ambitious targets, which included a [fifteen-fold](#) increase in insulation activities. This required cramming the equivalent of a year's work into each month and sustaining the hectic workload for two and a half years. ¹⁶⁷¹⁻¹⁶⁷³

A key [objective](#) of the home insulation [program](#) was to create work for those at risk of losing their jobs following the global financial crisis, especially amongst the building and construction sector. The federal government was determined to implement the program with minimal delays via a unilateral [laissez faire](#) policy designed to remove any impediments, reduce [red tape](#) and expedite the process. Its [intent](#) was made abundantly clear by one senior government official....*Don't do things in a government slow way. Let's let the market do its work.....let the market rip.* This became evident by October 2009 with a dramatic [increase](#) in the number of registered installers. It escalated to over 10,000 businesses with an estimated workforce exceeding 12,000 employees. The [scheme](#) generated a \$2.7 billion frenzy of unsupervised high risk activities using many vulnerable and inexperienced adolescents. At its peak, the insulations reached almost 200,000 houses in one month. It was an accident waiting to happen and reminiscent of a [spaghetti western](#). The significant financial inducements in an unregulated environment would inevitably attract a reasonable proportion of unscrupulous [untermenschen](#) delivering substandard installations. This would also increase the risk of [fraud](#) or embezzlement.....*Money doesn't talk it swears.* ¹⁶⁷⁴⁻¹⁶⁸³

This [exponential growth](#) required a government department with the competency, capacity and capability to deliver a program that demanded a commensurate increase in the use of skilled labour. It was exacerbated by a perceived obligation to expedite its design and implementation and cut any [red tape](#). This circumvented or disregarded [consultation](#) mechanisms and many significant work health and safety risks were addressed unilaterally, treated disdainfully or disregarded. The need for meticulous planning on an unprecedented scale was sacrificed at the expense of speed with inevitable undesirable and ugly [consequences](#)....*Dying ain't much of a way to make a living.* ¹⁶⁸⁴⁻¹⁶⁸⁷

A fistful of dollars

Evidence from several witnesses suggest this sector and the program was an ideal target for the economic stimulus. It was effectively [unregulated](#) and entry requirements were merely administrative. [South Australia](#) was the only state with any meaningful restrictions, which included a licensing regime. Crepuscular enterprises with limited experience could enter the industry like furtive hyenas. It enabled many ruthless vagabonds to abandon unlimited cohorts of unskilled vulnerable employees who merely required a pulse and a construction industry induction [white card](#) and were told to [be careful](#). ¹⁶⁸⁸⁻¹⁶⁹¹

The accreditation course for a [registered installer](#) was effectively [single loop training](#) or [rote learning](#) and almost as superficial as the [white card](#) induction. It was a [symbolic](#) process and almost as effective as a chastity training course accredited by [Barnaby Joyce](#). Within several days registered installers were subcontracting an unrestricted number of home insulation activities, which created a [lucrative](#) telemarketing scam. One registered company recouped \$2.64 million at a rate of \$40,000 each working day and a predictable orgy of profiteering evolved. It was an inevitable outcome of unilateral [laissez faire](#) tactics and many other interrelated, undesirable and devastating consequences emerged. The [industry](#) attracted its share of chthonic [racketeers](#) with impeccable credentials that rivalled qualifications from the prestigious [Melbourne Business School](#). One director, unrelated to [Conrad Black](#), [Rodney Adler](#), [Ray Williams](#) or the late [Alan Bond](#), accessed taxpayer funds over ten months despite an extensive criminal record. This included a prolonged stretch at Her Majesty's pleasure back in 2000 for conspiracy to murder, false imprisonment and several other violent crimes. ¹⁶⁹²⁻¹⁷⁰⁶

Another executive officer with an enlisted company was deregistered after supervised installers placed insulation over roof cavity downlights and the house caught fire. This entrepreneurial pyromaniac could replace [Gary Glitter](#) at Murray Goulburn, become a director with the ailing [Retail Food Group](#) or run the besmirched [7-Eleven](#) empire. A 2002 arson conviction after torching a kebab store demonstrates superior leadership attributes. The entire home insulation debacle reinforces a [reality](#) that should always be present in policy making. It must account for human nature and understand that individual actions occur in an imperfect world. Moreover, the words from Sampson Brass to Dick Swiveller in the [Old Curiosity Shop](#) reverberate.....*If there were no bad people, there would be no good lawyers.* ¹⁷⁰⁷⁻¹⁷¹¹

For a few dollars more

The federal government eventually established a [Royal Commission](#), which inquired into matters emerging from the debacle. This followed [four fatalities](#) in separate incidents and many other significant issues that were allegedly attributed to inherent failures with the design, implementation and management of the [program](#). The inquiry which lasted over six months between December 2013 and June 2014 identified [seven](#) significant failings with the design and delivery of the scheme. ¹⁷¹²⁻¹⁷¹⁵

There was an inevitable and predictable [dichotomy](#) between two key objectives of the program. This involved stimulating the economy which required impetus and speed whilst insulating over two million homes demanded meticulous planning. The project favoured the former and sacrificed the latter, which was exacerbated by an unrealistic and inflexible [target date](#) that was redolent of the serving [government](#). The program was allocated to an [administrative department](#) without the capacity, capability, and competency to design and deliver a project of such magnitude. It was aggravated by an extraordinary unilateral decision to change its delivery mechanism from a [regional brokerage model](#) to a [laissez faire](#) market rebate prototype. This disregarded many inherent risks in a malevolent attempt to cut [red tape](#) and circumvent [legislative](#) requirements. ¹⁷¹⁶⁻¹⁷²³

Until very late in the [scheme](#), the federal government failed to identify and control the associated [risks](#) pertaining to the program. This resulted in several [fatalities](#) and significant injuries to installers and substantial [asset damage](#). The government placed an inordinate reliance on inadequate advice, inept assistance and unsatisfactory project management recommendations from inexperienced external advisors. The project team failed to identify the hazards and associated risks covering installation and securing of [reflective foil laminate](#) sheeting via metal staples. This was a critical oversight, especially following similar fatalities in [New Zealand](#). Another crucial and autarchic decision involved moderation of [training and competency](#) standards. The stringent requirements were replaced with a vague concept of superficial supervision. It allowed numerous vagabonds to relinquish responsibility via a cursory warning to be careful. The scheme was initially implemented without an effective [audit](#) and compliance regime to monitor performance of registered installers, subcontractors and their legions of unskilled and vulnerable labourers. ¹⁷²⁴⁻¹⁷³¹

After discarding the [regional brokerage model](#) in favour of a market [demand driven](#) prototype, the establishment of an effective audit and compliance regime became even more critical. This was acknowledged by the federal government before 1st July 2009 with promises to implement a rolling audit program. A representative sample of households would be inspected to ensure compliant insulation and solar hot water systems were correctly installed. It was initially proposed to monitor only 2% of homes although the insulation industry preferred a much higher proportion. If this was unrealistic or impractical the industry recommended references to such a low prescriptive target be removed from the program to discourage unscrupulous or rogue installers [manipulating](#) the scheme. [1732-1734](#)

Irrespective of the proposed audit and inspection targets it was quite evident that when the delivery phase of the program arrived only a [basic monitoring program](#) existed. Indeed between July and October 2009, installations were proceeding at a phenomenal rate and auditing arrangements were at best rudimentary with an inordinate emphasis on fraud, which sacrificed any safety or quality concerns. The audit regime was effectively a [desktop](#) process with very few site visits involving physical inspections, roof access or discussions with installers and their employees. During this peak period approximately 500 roof [inspections](#) were completed although several hundred thousand installations occurred. [1735-1737](#)

In October 2009 a more structured and formal [auditing](#) regime was established using independent services of PricewaterhouseCoopers although a significant emphasis on fraud remained. This suited the federal government with its blind faith that occupational, health and safety was beyond their jurisdiction and the sole responsibility of state and territory statutory authorities. An ineffective audit and [compliance](#) regime, especially during the peak installation period was a critical defect in the home insulation program. Any government program involving expenditure of enormous amounts of taxpayer funds must be accompanied by a robust and rigorous auditing regime to reduce the risk of fraud and embezzlement. It must ensure quality assurance specification criteria are satisfied. Activities such as [working at height](#) and exposure to low voltage electrical risks must be conducted in accordance with [legislative](#) requirements, [codes of practice](#) and relevant [Australian Standards](#). This cannot be confirmed via a rudimentary and superficial desktop audit. Moreover, [duty of care](#) is a fundamental tenet of work health and safety [legislation](#). It includes designers, cannot be delegated and binds the Crown. [1738-1745](#)

The [federal government](#) placed an inordinate amount of faith in state and territory regulatory authorities to monitor and enforce compliance with a program of such enormous magnitude. Despite creating a market that encouraged widespread exploitation of vulnerable unskilled adolescents it treated the preventive and consultative risk management protocols enshrined in jurisdictional [safety legislation](#) as an impediment. State and territory statutory agencies were rarely involved in the program development but were expected to monitor compliance and respond to incidents without any additional resources or federal assistance. [1746-1747](#)

Most failures in public administration are usually multifactorial and are rarely attributed to a single error or mistake. The entire home insulation program was a cataclysm of bungling ineptitude. It was an [accident](#) waiting to happen and only a matter of time before the tragic events unfolded. This says much about the [government](#) of the day with its [sociopathic](#) leadership, megalomania, narcissism and [programmatically specificity](#). [1748-1751](#)

The beguiled

[Risk theory](#) is underpinned by the concept of [uncertainty](#) and.....*If something is possible it is only a matter of time before it happens*. This aphorism, which is colloquially referred to as [Murphy's Law](#) was most relevant to the home insulation program. The impact was quite sudden with devastating consequences and between October 2009 and February 2010 it claimed the lives of [four young adults](#) in separate incidents. [1752-1755](#)

On the 14th October 2009 [Matthew Fuller](#), an employee with [QHI Installations](#), was electrocuted whilst laying and securing reflective foil laminate sheeting in the roof cavity of a residential property at [Meadowbrook](#), near Brisbane. During the activity the victim was accompanied and assisted by his girlfriend when a metal staple used to secure the material penetrated an energised hot water system electrical cable. The victim collapsed and in an instinctive attempt to provide assistance his [girlfriend](#) received an electric shock. She was rendered temporarily unconscious and became entangled in the insulation foil. Ambulance officers arrived and transported the victim and his injured girlfriend to a nearby hospital. Despite many attempts at resuscitation [Matthew Fuller](#) failed to regain consciousness and died. His girlfriend was subsequently transferred to Royal Brisbane Hospital with full thickness electrical burns to her lower left leg. The [young lady](#) has not worked since the incident, which left her permanently disfigured and psychologically shattered. [1756-1761](#)

An [investigation](#) from state statutory authorities confirmed there was an inordinate reliance on ineffective lower order administrative controls, which included superficial training and perfunctory supervision. The power supply to the premises had not been [isolated](#) and securing the electrically conductive insulation foil with [metal staples](#) significantly increased the risk of electrocution. [1762-1765](#)

The parent company [Vision and Network Australia](#) operated a netherworld telemarketing scheme selling phone deals, energy plans and pay television contracts. It also [subcontracted](#) home insulation work to [QHI Installations](#), which was eventually [prosecuted](#) for breaching electrical safety legislation and received a \$100,000 fine with \$6,000 costs. The company manager, [Christopher John Mackay](#) was also charged with failing to ensure compliance with its statutory obligations and was released on a two-year good behaviour bond with a \$2,000 surety. Similar charges against his son, Christopher William Mackay, the company director were dropped. [1766-1769](#)

Up until 14th January 2010, [Vision and Network Australia](#) completed 1521 installations and claimed almost \$2 million from the scheme. The company was pursued by the federal government under debt recovery [proceedings](#) for breaching terms and conditions pursuant to the [home insulation program](#). This extended to almost 500 inapposite claims amounting to [\\$580,000](#) but the company went into liquidation and no criminal charges were ever laid against the organisation. The whereabouts of its enigmatic director and flamboyant racing identity [Jude Kirk](#) remain unknown, whilst his elegant abode in the Brisbane suburb of [Yeerongpilly](#) is currently leased to tenants who have not seen or heard from him in many months. [1770-1776](#)

A little over a month later on 18th November 2009, [Reuben Barnes](#) collapsed in the roof cavity of a residential property near [Stanwell](#) in Queensland. The victim and a colleague were installing fibreglass insulation batts using a long metal pole and wooden stick. On nearing completion of the installation Reuben received a severe [electric shock](#), which left him poleaxed and unresponsive. A colleague confirmed Reuben was not holding the long metal pole when he was electrocuted. Emergency services were raised and mains power supply to the premises was isolated. Two colleagues retrieved Reuben from the roof cavity and began cardiopulmonary resuscitation. Paramedics arrived at the property but Reuben failed to respond to further intensive treatment and died at the scene. [1777-1779](#)

A statutory [investigation](#) confirmed a screw securing plasterboard to metal ceiling battens had penetrated a sheathed electrical cable. This may have occurred during initial construction of the property and the batten became a [live conductor](#). It remains uncertain whether Reuben contacted the batten with the metal pole although a colleague emphatically denied this happened. However, the victim may have stepped on the batten and simultaneously touched the roof and was subsequently electrocuted. The activity occurred without [isolating](#) the mains power supply and using a metal pole increased the risk of electrocution. The work team was [working at height](#) without any [fall prevention](#) or protection equipment and there were no documented [procedures](#) covering the activity. [1780-1785](#)

Reuben's employer, [Arrow Property Maintenance](#) was a registered installer under the scheme and voluntarily ceased insulation activities immediately following the fatality. It was deregistered from the program in December 2009. The [company](#) received a \$135,000 fine at Rockhampton Industrial Magistrates Court for breaching electrical and work health and safety legislation. It submitted [claims](#) for 78 installations and received approximately \$110,000 in funds from the scheme. The [organisation](#) eventually folded and the fine remains unpaid. In 2016 the company director, Chris Jackson, was convicted of [perjury](#) following the coronial inquest and received a lengthy jail sentence with provisions for parole after serving three months. [1786-1790](#)

On 21st November 2009 [Marcus Wilson](#), was replenishing cellulose fibre insulation at a residential property at [St Clair](#) in Sydney's outer western suburbs. It was strenuous activity and involved lugging numerous bags of insulating material, each weighing almost 20kg, up an access ladder to the roof cavity. The work started around noon and the ambient temperature at nearby Penrith exceeded 40^o C. Marcus took several breaks during the task and was provided with [soft drink](#) by the property owner. On completing the installation Marcus performed some housekeeping duties although he appeared rather [disoriented](#). A colleague suggested he wash his hands to clean a minor abrasion and have a rest in the air conditioned truck. On returning to the vehicle the colleague was unable to locate Marcus and began searching for him in the immediate environs. Marcus was found lying on the ground nearby surrounded by several people providing assistance. Witnesses confirmed he was running from the job site before he collapsed. An ambulance arrived and the casualty was transported to the local Nepean hospital. [1791-1794](#)

The victim failed to respond to intensive medical treatment and was pronounced dead the following evening. The excessive temperatures, insufficient fluid intake and physical exertion generated heat stress and Marcus died from complications arising from [hyperthermia](#), which included total organ failure, [muscle melt down](#) and [coagulopathy](#). There were many contributory factors but the primary cause was prolonged strenuous activity under extreme temperatures. [1795-1797](#)

The registered installer was [Pride Buildings](#) but they were not the victim's employer. Marcus performed the activity on behalf an employee, [Calum McLean](#) who was sick and agreed to pay Marcus for the work. The organisation was unaware of this contingent arrangement. A coronial inquest concluded the [company director](#) demanded high expectations and insisted the work be performed irrespective of circumstances or prevailing conditions. There were no company guidelines covering work in [extreme temperatures](#) although the director indicated it would be hot that day and they should finish early. Employees were required to pay for insulation training courses, which were considered a superficial impediment and no risk assessments or instructions were documented covering installation activities. The labourers employed by Pride Buildings were mostly [casual unskilled workers](#). Marcus was a determined teenager who had completed preliminary vocational training covering insulation work. However, he had [extremely limited](#) experience in an occupational environment and was unaccustomed to the prevailing climatic conditions and received no training or induction from the organisation. Following the incident [Pride Buildings](#) was [deregistered](#) from the scheme and has since ceased working in the insulation sector. Statutory authorities did not charge the organisation or any individuals with any offences relating to breaches of health and safety legislation. [1798-1804](#)

On the 4th February 2010, [Mitchell Sweeney](#) collapsed inside the roof cavity of a property on the [Atherton tablelands](#) in far north Queensland. The victim was working with two colleagues and installing metal based foil insulation on behalf of [Titan Insulations](#), a registered installer, with scheme. The installation took approximately 30 minutes and no risk assessment was documented for the task. On completing the work and leaving the roof access hatch one of the installers heard a loud thump and believed Mitchell had slipped and fell. There was no response from the victim and another colleague received minor electric shocks as he attempted to provide assistance. [1805-1807](#)

The mains power supply was isolated and emergency services were notified. The victim was retrieved from the roof cavity by his colleagues and they began cardiopulmonary resuscitation with assistance from the [home owner](#). Ambulance and police officers arrived but the victim failed to regain consciousness and died at the scene. An autopsy confirmed Mitchell Sweeney was electrocuted. A statutory investigation revealed reflective foil laminate insulation was secured using metal staples, which penetrated a lighting cable in the roof cavity. Titan Insulations was prosecuted for breaches of [electrical safety](#) legislation and received a \$100,000 fine. Titan Insulations was [deregistered](#) from the program on 4th February 2010 but registration resumed the following week. The organisation lodged over 500 claims between 9th October 2009 and 4th February 2010 amounting to \$663,000. Attempts were made by the federal government to recoup \$213,000, from the company, which was received for 164 installations that were subsequently deemed noncompliant. It also withheld payment of \$12,000 covering more recent insulation work. The Gold Coast based business has since ceased trading although the victim's [family](#) has initiated [civil proceedings](#). [1808-1812](#)

On the 6th October 2009 a [home owner](#) suffered a serious electric shock following installation of reflective foil laminate insulation at his [Windaroo](#) property in the Gold Coast hinterland. Colin Brierley entered the roof cavity to inspect the insulation and received a massive jolt that left him under intensive care in an induced coma at a Brisbane hospital. Further investigations confirm [metal staples](#) were used to secure the reflective foil and an electrical cable was penetrated. Recovery from the ordeal was extremely painful and several adverse symptoms prevail. The victim has since initiated [civil action](#) against the federal government under the tort of negligence. [1813-1816](#)

The impact on families is incalculable and any attempt to quantify the cost merely treats humans as collateral damage and a decadent trajectory is inevitable. Despite the inquiries and prosecutions it never achieves [closure](#) and cannot reincarnate the victims. The memories always rekindle, especially at Christmas time and on birthdays or anniversaries. The solution is prevention via better [design](#) and meaningful consultation with respect and humility for diverging opinions. An adversarial legal system merely fans the flames on the carousel of culpability and the [theatre of law](#) has very little to do with the discovery of truth or realisation of justice. It is a retrospective judgement of convenience and the only parole for the bereaved is death or dementia. [1817-1819](#)

In addition to the fatalities and life threatening injuries, the program was beset by many other undesirable outcomes, which included asset damage from [fires](#) triggered by improper installations and widespread [fraud](#). It also involved frequent exploitation of householders and a vulnerable and unskilled labour force by the many venal vagabonds attracted to an impulsive and injudiciously designed scheme. The federal government was provided with ample warnings covering fire risk, especially regarding the installation of insulation near exhaust fans or halogen down lights. Indeed, [AS 3999 - Thermal insulation of dwellings](#) and the [Building Code of Australia](#) actually specified [minimum clearances](#). ¹⁸²⁰⁻¹⁸²³

During the home insulation program, statistics confirmed the number of fires in absolute terms actually increased. However, it was statistically insignificant given the escalation of insulation activity across the country. Despite extensive [media reports](#), the prevalence was no greater than before the program started. It may even suggest an apparent improvement in installation precautions, especially regarding the proximity of insulating material to heat generating mechanical and electrical equipment within roof cavities. It is regrettable that any fires occurred but only a small number resulted in significant asset damage and there were no recorded fatalities, which was confirmed via an [independent](#) study. ¹⁸²⁴⁻¹⁸²⁶

The rate of fraud and abuse associated with the home insulation program was unclear although it is uncontested that it occurred and its prevalence was unacceptable. A senate [inquiry](#) confirmed the incidence of [fraud](#) was a predictable outcome of a program that encouraged an influx of emerging businesses into a small and largely unregulated sector. Its imprudent design stimulated an orgy of profiteering with rampant exploitation of [householders](#) and a vulnerable unskilled workforce. Despite critical media coverage regular internal government departmental [reports](#) confirmed the program was operating smoothly and fulfilling its objectives. However, following the four fatalities, adverse publicity and escalating political pressure, an implementation report acknowledged increasing difficulties. A central agency taskforce reviewed the [foil insulation](#) component of the program. It identified numerous significant safety risks and recommended an exit strategy. This would increase the government's liability and create intense pressure to resolve many other noncompliant and controversial issues with the program. ¹⁸²⁷⁻¹⁸³¹

In early February 2010 following the electrocution of [Mitchell Sweeney](#), the federal government suspended the use of reflective foil laminate insulation. It was supported by some extraordinary ministerial magniloquence, which reinforced that.....*Safety of householders and installers is an absolute priority of the program.* This was an extremely belated, insensitive and mendacious statement given the previous fatalities and serious injuries directly related to the program. The [Strategic Priorities and Budget Committee](#) reviewed the taskforce report and on the 19th February 2010 the home insulation program was suspended. It intended to replace the program with a [renewable energy bonus scheme](#). Meanwhile, Dr. [Allan Hawke](#) was appointed to undertake an extensive review covering administration of the [home insulation program](#) and the existing arrangements. Since its inception the program processed 1.1 million claims at a cost of \$1.47 billion. [1832-1836](#)

The decision required immediate [remedial measures](#) to reduce federal government liability and address residual safety risks. It included a [foil insulation safety program](#), costing almost \$85 million, which involved safety inspections for an estimated 50,000 homes that were insulated with reflective foil laminate. This enabled householders to have foil insulation removed or following an inspection from a licensed electrical contractor, residual current devices or safety switches could be installed. An additional [home insulation safety program](#) costing almost \$340 million was required to resolve safety concerns for the estimated 150,000 homes installed with alternative insulation. [1837-1839](#)

Pale rider

At the end of February 2010, [Greg Combet](#) was appointed to manage the home insulation program. It included the termination process and implementation of transitional remediation programs. Meanwhile, responsibility for the program transferred to the [Department of Climate Change and Energy Efficiency](#). This established a significant and discernible level of competence and diligence with invaluable support from Dr. Martin Parkinson and Martin Bowles. The [remediation programs](#) were a costly exercise but were successfully delivered without additional adverse consequences. It provided substantial evidence that with diligent, determined and meticulous management, the home insulation program could have been delivered without significant injuries or loss of life. It also exposed the ineffectiveness of its [audit and compliance regime](#). [1840-1843](#)

The federal government initially provided a rolled gold guarantee that the [home insulation program](#) would continue operating until December 2011. This encouraged numerous established businesses to invest significant resources in the project and contribute to stimulating the economy. However, the unexpected suspension of the program left many reputable organisations and their employees devastated and some form of federal government assistance or [compensation](#) was required. [1844-1845](#)

This was provided via two interim schemes costing an estimated \$56 million. The Insulation Workers Adjustment Package provided [assistance](#) for the retention of workers until the [Renewable Energy Bonus Scheme](#) commenced. It was administered by the Department of Education, Employment and Workplace Relations and sought to assist some 6,000 employees with transition to alternative employment. Employers and employees were eligible to access the package provided the business had no unresolved serious compliance issues under the original program. An [Insulation Industry Assistance Package](#) administered by [AusIndustry](#) provided financial support for home ceiling insulation businesses to cover the costs of accumulated inventory when the program was suddenly terminated. Eligible businesses could apply for a single cash payment to cover 15% of their existing ceiling insulation stock as of 30th April 2010 and entitlements were capped at \$500,000 per claimant. It did not cover reflective foil laminate products and operated until 4th July 2010. An alternative avenue was pursued by a number of disgruntled businesses using the federal government [Scheme for Compensation for Detriment caused by Defective Administration](#). Several organisations submitted claims and all but two were rejected. This scheme was based on moral principles rather than legal obligations. It was not intended to compensate businesses for commercial losses caused by a lawful government action to terminate the program. [1846-1850](#)

In April 2010, Dr Allan Hawke completed the home insulation program review and the subsequent [report](#) painted a pretty bleak picture for the industry. It recommended the proposed replacement Renewable Energy Bonus Scheme be abandoned or deferred until safety and compliance issues were resolved and could be managed effectively. This was accepted by [Greg Combet](#) and the proposed replacement [scheme](#) was scrapped and the home insulation program was officially terminated on 22nd April 2010. The limited departmental resources were deployed to close the program, avoid further risk and ensure remediation programs fulfilled their objectives. [1851-1853](#)

Unforgiven

The [Royal Commission](#) confirmed the deaths of four young installers participating in the Rudd government's [home insulation program](#) would not have occurred had the [scheme](#) been properly designed and implemented. The government envisioned, devised, designed and delivered a program that allowed legions of inexperienced, avaricious and unscrupulous vagabond employers to exploit masses of vulnerable young workers. It should have done much more to protect them. There was an inevitable conflict between stimulating the economy and insulating over 2.2 million homes and the program sacrificed meticulous planning for speed. This was exacerbated by ineffective consultation and an unrealistic commencement date and impracticable schedule, which was unopposed by numerous servile public serpents. The market driven model adopted a unilateral [laissez faire](#) approach with a malevolent freedom to harm using unskilled contingent labour amidst a vulture culture of casino capitalism. It ought to have been obvious to any competent administration that the injection of substantial amounts of money into a largely unfettered industry would generate escalating risks of fraud and other deceitful behaviour. The program was best summarised by an established builder who described the entire scheme as a [spaghetti western](#). ¹⁸⁵⁴⁻¹⁸⁵⁸

Its sudden termination devastated many established and reputable businesses and left plenty of blood on the streets. Families were financially ruined and psychologically destroyed and the remediation schemes offered little assistance, which justifies suitable [remuneration](#) from the [federal government](#). It was delivered too quickly with insufficient knowledge about industry and consumer behaviour and without any meaningful consultation. Meanwhile, the revolving doors keep on spinning, especially in deep north Queensland. Its [industrial relations minister](#) recently appointed a flamboyant businessman and director with the [Italian Chamber of Commerce and Industry](#) as its independent [electrical safety commissioner](#). ¹⁸⁵⁹⁻¹⁸⁶¹

The [Rudd](#) government was [elected](#) in 2007 to use the power granted by the franchise to represent organised workers and reduce inequity. Labour ministers often apologised about the subversion of democracy, now it is acknowledged as an achievement. Indeed, the people who knew [Kevin Rudd](#) best, liked him least and those who claimed they liked him, never actually met him. The obscurantist former prime minister may wish to reflect on the words of [Thomas Hardy](#) in [Jude the Obscure](#)....*Do not do an immoral thing for moral reasons.* ¹⁸⁶²⁻¹⁸⁶⁶

McJob gig economy

Work keeps away those three great evils: boredom, vice and poverty

Voltaire ¹⁸⁶⁷

Over recent years traditional employment relationships have changed considerably with a dramatic increase in contingent or **precarious** arrangements. The embryonic **gig economy** and use of a disillusioned labour hire resource from an inchoate precariat is noticeable across Australia and overseas. **McJobs** are prevalent throughout most industrial and commercial sectors with the exploitation of vulnerable migrant workers under **indentured servitude** or **peonage**. It shows no signs of abating and is polarising society. Engagement often consists of an impassive and loose tripartite agreement between the host employer, the labour hiring agency and the employee, who is effectively a **ragged trousered philanthropist**. ¹⁸⁶⁸⁻¹⁸⁸⁰

Precariats

The **gig economy** has created an incipient social class known as precariats, the **Epsilons** of **Huxley's Brave New World**. This occurred following the long march of neoliberalism and has produced an inchoate and volatile powder keg of disenchanting dissidents and **helots**. Incomes no longer provide additional benefits such as sick pay or leave entitlements and earnings fluctuate erratically, which generates subsistence without predictability or security. Many of its denizens endure a fragmented existence through contingent labour or underemployment as they flit between intermittent jobs, which are devoid of any career development. ¹⁸⁸¹⁻¹⁸⁸⁴

Cohorts of demoralised and embittered adolescents are exposed to a dwindling range of social, cultural, political and economic rights or opportunities. The symptoms include anxiety through insecurity and **anomie** from despair, which cultivates alienation and then anger with an intolerance towards strangers. In an era of antisocial media that generates legions of virtual friends, society has become even more confused and deeply divided. Following the **global financial crisis**, the chimera of an extravagant lifestyle fuelled by a foreboding supply of **Coumadin**® in the form of cheap and readily available credit was abruptly shattered. The uncertainty extends across hordes of susceptible itinerants, who are unable to forge an identity and are merely a dishonoured pay cheque or substantial dental treatment invoice from misery and destitution. This is exacerbated by escalating costs, stagnant wage growth and declining living standards. ¹⁸⁸⁵⁻¹⁸⁸⁷

Subsequent austerity measures have generated anxiety, which cultivates extremism and erodes the human instincts of fallibility, compassion, tolerance, benevolence and social solidarity. It creates a fertile environment for populist politicians to restructure social protection and promote labour market flexibility. However, their sinister objective is to destroy the humanitarian reforms of democratic governments, which include social welfare, altruistic labour standards and civilised working conditions. This venal populism will only be defeated using politics of paradise with a reinvention of the progressive trinity of equality, liberty and fraternity rather than the traditional dour labourism of industrial society. It will allow [precariats](#) to gain control of their lives and achieve social and economic security via an equitable share of tangible assets. Many egalitarians and eminent economists advocate that every legal resident in a society must be provided with the right of a basic income. [1888-1890](#)

Critics claim it is unaffordable, inhibits economic growth and encourages idleness. However, the concept is gaining legitimacy, especially in middle income market economies such as Brazil. Its government has taken action to reduce income inequality and over 50 million of its citizens receive welfare under the [bolsa familia scheme](#). It may soon become a sociopolitical necessity throughout many other countries.....*It is difficult to get a man to understand something, when his salary depends upon his not understanding it.* [1891-1894](#)

In the late 1960s, San Francisco was a milieu of radical activists but it is now a polarised and vainglorious clique of careerist zombies surrounded by a disproportionate mass of misanthropic precariats. Governments must resolve this escalating inequality and heed the comments from the late eminent philosopher and logician [Bertrand Russell](#).....*The road to happiness and prosperity lies in an organised diminution of work.* [1895](#)

Indentured servitude and peonage

Contingent labour hire has revolutionised employment arrangements and has been furtively marketed by corporations and recruitment companies as a fashionable, amenable and flexible accord. The reality is somewhat different and the entire concept is underpinned by [vassalage](#), exploitation and insecurity with vague terms and conditions of employment. It portends a dystopian future of a disenfranchised workforce hunting for the next gig, to make a minimum payment on maxed out credit cards and buy takeaway pizzas on credit, which are prepared and delivered by subjugated associates. [1896-1897](#)

The socioeconomic repercussions of the [gig economy](#) are rather ominous and it is creating a society where the unfortunate many are toiling for a privileged few with a premonition of indentured servitude and peonage. An [indentured servant](#) or [peon](#) is provided with money and placed under debt. The person receiving money or an equivalent benefit contracts a legal obligation fortified with criminal penalties to settle the debt by providing labour to the original money master or nominated delegates. The servants invariably borrow more money to meet monthly expenses and become entrapped in a quagmire of cyclical debt. In 1863 [Abraham Lincoln](#) delivered his infamous [Gettysburg address](#), which promoted the concept of [representative democracy](#). This was followed by the thirteenth amendment of the [American constitution](#), which abolished slavery and [involuntary servitude](#). ¹⁸⁹⁸⁻¹⁹⁰⁰

Following the union and intensification of corporate and state power, especially since the late 1970s, [representative democracy](#) has degenerated into government versus the people. Warfare has usurped welfare with the emergence of an [elective dictatorship](#) via a [kakistocracy](#) with a subservient [gig economy](#). In 2015 the [State Government of Victoria](#) announced an inquiry into contingent employment arrangements and the labour hire industry. Additional covert investigations by the [Australian Broadcasting Corporation](#) and [Fairfax Media](#) have exposed repeated widespread exploitation and irregularities throughout many industrial and commercial sectors. ¹⁹⁰¹⁻¹⁹⁰²

[Forsyth inquiry](#)

There are almost 6000 agencies providing contract labour hire across Australia and it is often a legitimate and convenient mechanism for engaging workers. However, the process has been manipulated by many rogue operators to circumvent legislative requirements and eviscerate labour standards. This involves exploitation of vulnerable employees, especially migrants on temporary visas and includes systemic noncompliance with statutory work health and safety requirements. ¹⁹⁰³

Franchising with the use of contingent labour is widespread across Australia. It is particularly evident amongst the agricultural, contract cleaning, horticultural, meat processing and retail sectors and has a significant impact on the Australian economy. Several recent high profile examples include the embezzlement of [7-Eleven](#), [Domino's Pizza](#) and [Retail Food Group](#) employees, subjugation of migrant [fruit pickers](#), exploitation of [Aerocare](#) ground support staff and the manipulation of [Tip Top](#) bakery delivery drivers. ¹⁹⁰⁴⁻¹⁹⁰⁸

A Good Call™

It was our silver wedding anniversary and like a true [Montsalvat](#) chardonnay socialist, I celebrated with inimitable style and took my partner to a place that was incredibly expensive and stayed open quite late. It was undoubtedly a *Good Call™* and just a short romantic moonlit stroll to a suburban 7-Eleven store. [1909-1910](#)

However, a recent joint [media investigation](#) into Australia's largest convenience store chain has unearthed a rotten culture of exploitation and embezzlement throughout its empire. This includes systemic underpayment of wages and falsification of payroll records. The blame dichotomy was almost immediate with the myopic corporate head office condemning rogue franchisees. Its business franchising model is effectively indentured servitude and peonage, which systemically manipulates vulnerable migrants on student working visas and the deception is widespread across its many outlets throughout Australia. [1911-1912](#)

Experienced conspirators are often engaged as mentors for recently appointed franchisees to teach fraudulent payroll tactics using creative or postmodern accounting techniques from its corporate bag of tricks. The organisation is an American-Japanese conglomerate with headquarters in the United States. Its Australian corporate office operates over 600 outlets, which generates \$3.6 billion of sales each year with profits of \$1.44 million and is complicit in the extortion of its contingent workforce. [1913-1914](#)

A former employee worked under four franchisees at three different outlets throughout the Gold Coast hinterland in Queensland. The work often involved extended shifts without a break. In addition to serving customers, activities included cleaning, stacking shelves and surveillance of petrol pumps. If a customer drove off without paying for fuel, the amount was deducted from his wages. The additional working hours provide franchisees with significant power, hubris and leverage via a threat of deportation for breaching student visa working conditions. In the space of 18 hours, the employee faced two successive armed robberies and was threatened by a drug induced intruder wearing a balaclava and wielding a serrated hunting knife. Following the ordeal, he was berated by the store manager for allowing the intruder to escape with the store's proceeds and failing to offer any resistance or restrain the armed assailant. Similar incidents involving extortion of employees and armed robberies have been reported throughout several of its outlets in Victoria. [1915](#)

The founder and chairman, [Russell George Withers](#), shared the bounty with his late sister [Beverley Ruth Barlow](#) and the fortune amounts to approximately \$1.5 billion. This consists of the Starbucks chain, several hundred Mobil service station stores and almost \$450 million worth of property including many 7-Eleven outlets, which are leased to gullible franchisees. The opulence extends to a sprawling Yarra Valley estate worth over \$10 million and a \$2.2 million Raytheon Hawker 800XP business jet. In May 2015, Beverley Barlow smashed the record for a residential property sale in Melbourne's affluent suburb of Brighton with the purchase of a palatial bay side mansion for \$20 million. Another extravagant waterfront property is up for sale with a price tag of \$3.4 million. It consists of four bedrooms, three bathrooms and a three-car garage at Noosa Waters on Queensland's Sunshine Coast. [1916-1921](#)

Russell Withers and Beverley Barlow did not respond to any questions from investigative journalists. [Allan Fels](#), a former chairman of the [Australian Competition and Consumer Commission](#), diplomatically described [Russell Withers](#) as a forceful businessman. Its franchising scheme was considered one of the toughest, inequitable and coercive business models ever encountered. Meanwhile, the organisation has restructured its executive leadership team. The founding chairman and its chief executive officer [Warren Wilmot](#) recently resigned. A reimbursement plan has refunded almost \$30 million to more than 800 employees and many others have applied for compensation that may exceed \$100 million. The company also proposed a hardship relief program with an offer of subsidies for struggling franchises and an equitable profit sharing scheme. [1922-1924](#)

The [Fair Work Ombudsman](#) investigated the systemic wage fraud and found the corporate office antagonised problems by failing to use systems and processes to detect or address intentional exploitation of employees. The entire saga prompted the coalition government through its [Department of Employment](#) to provide sufficient resources and reinforce regulatory power using a migrant workers taskforce. Legislation will be enacted to ensure franchisors are held accountable for any exploitation or wage fraud involving vulnerable employees. It will have a profound impact on the \$170 billion franchise industry. Despite the many bright lights, ostentatious advertising, opulence and corporate decadence a ruthless heart of darkness prevailed. This was underpinned by corporate impiety and perfidy with a contemptuous disregard for Australian workplace laws. [1925-1928](#)

Making a crust

The shares in [Domino Pizza Enterprises Limited](#) have surged more than 2500% since listing on the [Australian Stock Exchange](#) almost twelve years ago. In 2016, the organisation recorded a net profit after tax of almost \$90 million and is acclaimed as a phenomenal success story throughout the Australian franchising sector. However, a recent [Fairfax Media](#) investigation reveals more turpitude and corporate impiety. The nation's largest pizza chain persistently extorts its franchisees who subsequently exploit a vulnerable migrant workforce, whilst investors reap substantial dividends. It is yet another example of Americanisation with a race to the bottom and the winner takes all philosophy of callous casino capitalism. [1929-1931](#)

The investigation revealed widespread underpayment of wages, illegal transactions involving working visas and a delivery driver scam to circumvent penalty rates. Its dictatorial corporate office exerts relentless pressure on franchisees to expand sales whilst stores are bartered on generated turnover, not profit. It receives royalties from each sale as Australians chomp through one million of its pizzas every week and rather ironically some are even bought by construction site managers to celebrate a project's achievement of [zero harm](#). [1932-1934](#)

After visiting many outlets across the country, investigative journalists found franchisees were often distressed and many struggled to make ends meet. Some were haemorrhaging thousands of dollars and the exploitation of its vulnerable migrant workforce was essential to remain afloat. Blind Freddy on a galloping horse can easily envisage this trajectory and predict the repercussions of embezzlement, escalating [psychosocial risks](#), drug and alcohol abuse, domestic violence, increasing divorce rates and suicide. [1935-1936](#)

In 2016 [Don Meij](#), its chief executive officer, claimed more than \$21 million in salary, benefits and shares, which is almost \$11000 an hour or 20% of net profit. Delivery workers received \$19 an hour and were recently expected to embrace pay cuts of \$2 per hour and relinquish weekend and shift work penalty rates. Its chairman and major shareholder is the fast food mogul, [Jack Cowin](#) with an ascribed wealth of \$1.8 billion. He is the founder and director of [Competitive Foods Australia](#) and recently declared penalty rates were.....*A thing of the past*. However, whilst evading the taxman and contributing to the obesity epidemic, it may have escaped his meticulous attention to detail that [Abe Lincoln](#) abolished slavery way back in 1865 and [indentured servitude](#), [peonage](#) or [blackbirding](#) are illegal in Australia. [1937-1947](#)

Racketeering, fraud and greed

The [Retail Food Group](#) based in Queensland's Gold Coast operates the largest food franchise network in Australia with a market capitalisation of \$800 million. The iconic brands include [Donut King](#), [Brumby's](#), [Gloria Jean's](#), [Pizza Capers](#), [Crust Gourmet Pizzas](#) and [Michel's Patisserie](#) with over 2500 outlets across the country. Its proven business models, which have been perfected over several decades are supplemented by a highly skilled support network to ensure the success of its franchise systems. However, a recent [Fairfax Media](#) investigation paints a slightly different picture and provides further substantive evidence of a disturbing trend throughout the retail sector. [1948-1951](#)

After visiting many outlets across Queensland, New South Wales and Victoria media reports confirm widespread underpayment of wages and relinquished penalty rates. Franchisees are struggling to survive and rely heavily on the benevolence of families and close friends. Much of the malaise is attributed to a brutal business model and relentless corporate pressure with crippling fees, excessive royalties, rising labour costs, increasing rents and escalating food taxes. Many outlets are for sale and during the past year hundreds of stores have closed and franchisees have walked away with nothing but misery and a mountain of debt. [1952-1954](#)

Its chthonic chief executive officer and managing director, [Tony Alford](#) was once described as the richest executive on Queensland's Gold Coast with an amassed fortune of \$147 million. Following almost two decades with the company he recently stepped down, along with his partner and business associate, [Alicia Atkinson](#) and their byzantine commercial interests remain mysterious. Reports suggest the couple are diversifying assets with the recent purchase of a \$6.4 million trophy home in Port Douglas and a \$5.5 million opulent manor at Tamborine Mountain in the Gold Coast hinterland. Additional property consisting of Byron Bay beachfront development blocks is up for sale and expected to raise almost \$40 million. Racketeering, fraud and greed are not leadership attributes and profit and accrued wealth are the only benchmarks of success in a climate of casino capitalism. It has left a trail of despair amongst many franchisees, which includes decimated savings, broken marriages and destitution. Statements of good corporate governance or [zero harm](#) are merely superficial hogwash and resemble the excessive froth on tepid dishwater that is purveyed as flat white coffee at many Starbucks or Retail Food Group outlets. [1955-1961](#)

Grapes of wrath

Temporary migrants under the working holiday visa scheme contribute almost \$3.5 billion to the Australian economy each year and its agricultural and horticultural industrial sectors are especially dependent on seasonal workers. However, the exploitation of itinerant workers in Queensland's Wide Bay region using contingent labour hire is well documented. A young German backpacker died whilst working for [Barbera Farms](#) on a tomato plantation near Childers in December 2009. The cause of death was not released but following an extensive investigation and regulatory authority prosecution, the company pleaded guilty to breaching work health and safety legislation. It operated a labour intensive and contingent workforce but failed to supply drinking water for its employees and control the risk of dehydration and heat stress. More recently in November 2017, a Belgian tourist [collapsed](#) on a farm near Ayr in North Queensland whilst picking watermelons. The victim was transported to hospital and died the following morning from suspected heat stroke. [1962-1966](#)

In March 2015 the Australian government voted against a broad ranging senate inquiry into exploitation of migrant workers. It was dismissed by our termagant employment minister, another illegitimate daughter of Satan, as being politically motivated. However, the [Forsyth report](#) into contingent labour hire in Victoria details extensive anomalies involving itinerant fruit pickers across the Murray Basin. This was substantiated by a covert media investigation, which disclosed embezzlement, racism, intimidation, extortion, precarious safety practices, sexual assault and many other offences and misdemeanours. It revealed widespread systemic abuse of temporary working visa arrangements with the circumvention of legislative requirements and labour standards by many rogue recruitment organisations. [1967-1969](#)

Most itinerants are engaged for seasonal harvesting and are occasionally required to work up to eighteen hours a day. Reports confirm one female employee received just \$3.95 an hour, whilst contingent labour hire organisations manipulate the scheme to reap substantial profits and much of the produce ends up at major food retail outlets. The suppliers are subject to rigorous food safety and quality audits and must meet defined specification criteria or the contract is cancelled. However, the Dickensian conditions endured by many itinerant labourers are conveniently disregarded by the large supermarket chains and any response from state governments and their dilatory regulatory authorities is often nonchalant. [1970-1971](#)

[Covino Farms](#) is a principal supplier to many leading supermarkets. Over recent years the organisation received numerous provisional improvement notices relating to work health and safety misdemeanours and a significant fine following breaches of environmental legislation. In 2013 despite its mediocre performance, the company secured a \$1.5 million grant from the [State Government of Victoria](#), which was sanctioned by [Denis Napthine](#), another [neoliberal](#) premier and avowed acolyte of [trickle-down economics](#). ¹⁹⁷²⁻¹⁹⁷³

The entire saga is reminiscent of [John Steinbeck's The Grapes of Wrath](#) with its descriptive exploitation of migrant sharecroppers fleeing the [Oklahoma dustbowl](#) during the [great depression](#) in the 1930s. The novel excoriates the financial services sector and depicts the appalling conditions, callous treatment and the frugal existence endured by itinerant Okies during their search for employment in the [Kern County](#) fruit orchards of California. It was banned in many countries and received [harsh criticism](#) from the [Association of Farmers](#) in California because of its socialist nuances. Australian folklore claims the book was restricted by its Queensland government because of an evocative and pornographic paragraph on the last page. However, in 1962 the [Nobel Prize in Literature](#) was awarded to [John Steinbeck](#) for his realistic and imaginative writings, which displayed a sympathetic humour with a keen sense of social perception. The spectre of [Tom Joad](#) must be haunting the boardrooms of many companies across the agricultural and horticultural sectors, especially throughout Queensland, Victoria and South Australia. ¹⁹⁷⁴⁻¹⁹⁷⁹

Most of the vulnerable itinerant labourers in these industries often experience rule by fear and are victims of harassment, intimidation and blatant racism, which is no better than the oldest profession. This suppresses the reporting of safety concerns with an increasing risk of workplace injuries, illness, disease and psychosocial disorders. Moreover, state and federal government departments have failed to resolve this exploitation and hold the unethical and unconscionable contingent labour hire organisations accountable. The problem persists and it demands a coordinated effort from the [Fair Work Ombudsman](#), [Department of Home Affairs](#) and state work health and safety [regulatory authorities](#). It also requires legitimate assistance from the major supermarket chains. Meanwhile, the distortion gap widens as an affluent syndicate of colourful racing identities or caitiffs reap substantial profits whilst indentured servants, governments and the broader community endure the risk. ¹⁹⁸⁰⁻¹⁹⁸¹

Pie in the sky

[Aerocare](#), which was owned by the private equity firm [Archer Capital](#), provides ground handling services and safety checks for many major airlines across Australia. It proclaims to be the most trusted outsourced flight support organisation in Australia and New Zealand. However, this declaration is rather inconsistent with a recent [Fair Work Commission](#) ruling, which rejected its latest enterprise bargaining agreement. It failed the better off overall test which evaluates penalty rates, working conditions and shift rosters. The agreement predictably and somewhat conveniently excluded Aerocare's extensive contingent workforce and the decision was corroborated by a recent [ABC television](#) undercover investigation. It disclosed primitive conditions of underpaid casual labourers, [catnapping](#) between split shifts on makeshift beds adjacent to baggage carousels underneath airport terminals. [1982-1985](#)

In November 2014 a cargo handling supervisor was inadvertently locked inside the hold of a [Boeing 737](#) shortly before its departure from Brisbane international airport. The incident was handled internally and not reported to the [Australian Transport Safety Bureau](#). In the same month, the cargo door on a [Tiger Air A320](#) aircraft was left wide open as it prepared for departure from Brisbane domestic airport. It was detected by the flight crew and air traffic control, who aborted the take-off. [Aerocare](#) proudly claims its safety record is impeccable and the incidents did not endanger the public. [1986-1987](#)

In an industry with a business model that leases its aircraft from Boeing or Airbus and buys fuel on credit, Aerocare recorded a profit of \$13.5 million, which was a 20% increase on the previous year. The four key airports across Australia posted profits of \$1.8 billion. [Qantas](#) a major client of Aerocare produced an outstanding performance during the 2016 financial year. It announced an extraordinary profit of \$1.53 billion, a 57% increase on the previous year, which was unmatched in its prodigious corporate history. The epicene [chief executive officer](#), who frequently uses artificial corporate social responsibility to promote equality, received a staggering \$25 million salary and donated [\\$1 million](#) to the same sex marriage campaign. Meanwhile, Aerocare's contingent labourers eke out an existence on subsistence wages and attempt to catch forty winks on soiled mattresses with grubby bed linen beneath airport terminals across Australia. Many of these indentured servants may not share his enigmatic, sybaritic and egalitarian beliefs. [1988-1989](#)

White freight liner blues

During the 1950s, the delivery of bread, cream and milk was categorised as an essential community service and legislation was enacted to secure supply. It has since ossified and effectively deregulated the supply chain. A [recent report](#) prepared by Pricewaterhouse Coopers identified a causal nexus between road safety and driver remuneration. However, the [Road Safety Remuneration Tribunal](#), which established minimum pay rates for drivers, was abolished by the federal government. Meanwhile, media investigations have revealed repetitive widespread and systemic exploitation of many owner drivers. [1990-1994](#)

[Tip Top](#) is a subsidiary of [Associated British Foods](#) group. It operates the [Aldi](#) supermarket supply chain in Australia and the challenging market conditions required a reconfiguration of its operations. Its owner drivers are now categorised as independent contractors and the introduction of low cost contracts with escalating overheads has significantly increased work health and safety risks. Following the dissolution of the road safety tribunal contract rates and payments have been ruthlessly slashed. It has an incalculable impact on fatigue management and vehicle roadworthiness, which generates penury with escalating [psychosocial risks](#). In abolishing the [Road Safety Remuneration Tribunal](#) the neoliberal government is merely protecting the interests of major corporations at the expense of beleaguered owner drivers and their impoverished families. [1995-1996](#)

A survey from [Macquarie University](#) into the [logistics and supply chain](#) sector indicates 80% of truck drivers work more than 50 hours per week and 10% work over 80 hours. The pressure on owner drivers to falsify vehicle log books is well established but rarely disclosed because of fear and intimidation. In five years to 2016, over 1000 people were killed in truck related crashes. [Safe Work Australia](#) confirms many employers acknowledge that unsafe acts and risk taking results in high levels of injuries and fatalities throughout the supply chain sector. It also suggests the design of work requires extensive analysis to understand why such practices persist and establish how they can be eliminated or reduced. Escalating overheads will inevitably curtail essential maintenance on delivery vehicles and compromise their roadworthiness. This was corroborated following a recent raid at a [Tip Top](#) logistics depot in western Sydney. Regulatory authority inspectors from the [Roads and Maritime Services](#) examined 46 trucks and issued 25 defect notices. [1997-1999](#)

The [Australian Securities and Investments Commission](#), indicates supply chain operators have an inordinate insolvency rate and the smaller businesses with five full time employees or less are most likely to go bankrupt. The psychosocial impact is rather predictable and is substantiated following a [Deakin University study](#), which revealed 323 truck drivers committed suicide between 2001 and 2010. The [Tip Top](#) delivery drivers are working extreme hours with insufficient rest and their rates have been slashed. Meanwhile the parent company, [Associated British Foods](#), is expected to announce a profit of over \$2 billion, which is an increase of 25% from the previous year. Even the Subiaco besom could do the math on her infamous whiteboard and establish who the real breadwinners are in this casino capitalism arrangement. [2000-2003](#)

Following further extensive research at [Monash University](#), truck drivers have begged and [pleaded](#) with the federal government, the [National Transport Commission](#) and the [National Heavy Vehicle Regulator](#) for immediate preventive action. The [recent study](#) is summarised in [Figure 6](#) and indicates trucking or [supply chain logistics](#) across Australia is a particularly precarious vocation, especially on long haul routes. Many drivers are exposed to multiple risk factors, which include sedentary roles with extended working hours, junk food, social isolation, extreme deadlines, fatigue, road rage and noise induced hearing loss. Over [twelve years](#) it has generated almost 121,000 authorised compensation claims, which include numerous work related fatalities. It equates to more than one million weeks or 22 years of lost productivity and the risk of truck drivers dying at work is quite significant. Almost 75% of deaths involved crashes and over four hundred people have died following [incidents](#) with heavy vehicles since the [Road Safety Remuneration Tribunal](#) was [abolished](#) in April 2016. [2004-2013](#)

Trucking is the most common occupation amongst working men in Australia with almost 200,000 drivers and demand is expected to double as the [population](#) escalates. The statistics are foreboding and indicate truck drivers are regularly abused, sadly neglected and even killed at work. It is incongruous with the object of [safety legislation](#) and requires immediate attention without the [tyranny of bureaucracy](#) or unnecessary platitudes. A persistent demand for low cost contracts from [wealthy retailers](#) exerts relentless financial pressure on transport companies, especially amongst smaller owner operators. Supplementary adversarial [legislation](#) and voluntary codes of practice cannot resolve many of the sociopolitical and economic issues within the [supply chain](#) sector. [2014-2019](#)

Figure 6: Driving health report



Available from: <https://www.twu.com.au/Home/Campaigns/Safe-Rates/Driving-Health-Report-2---Highlights/>

It has become another [race to the bottom](#) with many truck drivers working excessive hours in defective vehicles to fulfil extreme demands. The [consequences](#) are often devastating with increasing chronic health problems, [substance abuse](#) and escalating psychosocial issues. However, correlation does not imply causation and descriptive statistics are often used to promote hidden agendas. The scientific information is surreptitiously misrepresented to furtively [corrupt](#) public policy, which disregards deeper systemic issues and blames the victim. It produces unreliable [facts](#) from reliable figures and you cannot feed the hungry on [statistics](#). The [purity](#) of [positivism](#) often masquerades inherent dangers and several high profile examples include [cigarette smoking](#), [asbestosis](#) and [black lung](#).....*Well it's bad news from Houston, half my friends are dying. White freight liner won't you steal away my mind.* ²⁰²⁰⁻²⁰³¹

Pear shaped

[Kalafatis](#) is a major producer and purveyor of pears and the company is distinguished as the pear giant of Australia. Every aspect of the business is handled by the consanguineous family and its superior crystal brand produce is renowned for its taste and quality. Its major client is [Woolworths](#).....*The Fresh Food People* and it faces regular quality assurance and food safety audits from the [poker machine](#) pirate. The company employs over 80 full time employees and during the harvesting season its workforce increases to almost 300 people. Seasonal workers are resourced using contingent labour hire companies and include vulnerable itinerants or backpackers holding temporary migrant visas. The managing director acknowledges fallibility but advocates a strong [work ethic](#), which is corporate double speak for indentured servitude, peonage, intimidation and exploitation of helpless migrants. Vangelis, the Kalafatis patriarch, has since passed away but often reminisced about the early days with vivid descriptions of homesickness, pain and adversity. ²⁰³²⁻²⁰³⁵

However, at a Kalafatis packing shed in Shepparton on [7th November 2015](#), it all turned horribly pear shaped and generated an inconceivable amount of suffering and hardship. An Irish backpacker received [appalling injuries](#) whilst cleaning beneath a moving [conveyor belt](#), which was used to deliver pears for packing and distribution. The young girl lost all her hair and an ear was ripped off when the scalp was torn from her head after she became entangled in a packing conveyor rotating drive shaft. The victim was rushed to a local hospital, stabilised and then transferred via air ambulance to Melbourne for further treatment. ²⁰³⁶⁻²⁰³⁸

Workers were frequently required to scrub beneath conveyor belts to ensure compliance with the rigorous food safety standards. Isolation of the equipment would inevitably curtail production and cleaning was usually performed whilst the conveyors continued operating. This involved exposure to unguarded rotating drive shafts and sprockets. The [labour hire](#) company [T&R Contracting](#) pleaded guilty in Shepparton magistrates' court to breaching work place health and safety legislation. It received a [\\$60,000 fine](#) for failing to provide instruction and training. In January 2018 Kalafatis Packing also pleaded guilty to charges relating to the incident. However, before sentencing the local magistrate visited the facility with the defence and prosecution legal teams, WorkSafe Victoria representatives and the Kalafatis managing director. The delegation studied the significant changes to equipment and machine guarding costing over \$200,000, which were recently implemented following the horrific incident. [2039-2041](#)

The managing director claimed that since the improvements no other operation in the entire Goulburn Valley could compare to the Kalafatis packing shed. This quest for moral high ground merely implies that similar risks are evident at many other facilities. Moreover, Kalafatis is recognised as the pear giant of Australia and an influential member of the Apple and Pear [industry association](#). The defendant's legal team pleaded extenuating circumstances and alleged it was an isolated incident and subsequent improvements went over and above the need for deterrence. The [conviction](#) of Andonis Kalafatis back in August 2004 was conveniently disregarded. He was a director with Anspac Cold Storage when a forklift operator collapsed from carbon monoxide poisoning whilst stacking pallets at a nearby [cold storage](#) facility in Shepparton. [2042-2044](#)

The magistrate acknowledged the company had taken the incident at its pear packing shed very seriously and recognised their extreme remorse and guilty plea. It had also raised the [factory standard](#) above the industry benchmark and its response was considered exemplary. Since the incident occurred an anonymous review on a migrant worker [website](#) offers a somewhat different perspective with descriptive accounts of intimidation and austerity. The plant manager allegedly behaved like Adolf Hitler and threw fruit at a lady who challenged his authority. The accommodation for itinerant labourers included a five bedroomed house with six girls sleeping in each room and one television set was provided between the 30 occupants. If the house was full several migrants or backpackers would sleep in the garden and their rent was reduced accordingly. [2045-2046](#)

In the Shepparton magistrates' court the organisation received a \$50,000 fine with \$22,000 costs to cover the [WorkSafe Victoria](#) investigation with no formal conviction recorded. In 2014 the State of Victoria produced 89% of Australia's pears with a [value](#) exceeding \$125 million. The excruciating pain, suffering and psychological trauma endured by the victim and her immediate family is inconceivable. Following an [appeal](#) the penalty was [increased](#) to \$150,000 in the [Shepparton](#) County Court and a [conviction](#) was recorded. This unfortunate but preventable incident left the young lady permanently [disfigured](#) but the supply of superior crystal pears to a poker machine conglomerate continues.....*Oranges and lemons, say the bells of St. Clement's; You owe me five farthings, say the bells of St. Martin's. When will you pay me? Say the bells of Old Bailey. When I grow rich, say the bells of Shoreditch.* [2047-2053](#)

Deceptive bends

The [Ichthys](#) project located in the [Browse Basin](#) some 220 kilometres off the Western Australia coast is one of the most significant oil and gas ventures in the world costing approximately US\$40 billion. It is the largest discovery of hydrocarbon liquids in Australia and initial estimates indicate the field contains more than 12 trillion cubic feet of gas and 500 million barrels of condensate with an operational life of almost 50 years. [2054-2055](#)

During June and July in 2017 [Inpex](#) engaged the services of [DOF Subsea](#) who hired elite diving teams to conduct essential repairs on the Ichthys ocean floor pipeline. It was the deepest commercial dive in Australian history and required [saturation diving](#) to depths of 273 metres. This involved compliance with [National Offshore Petroleum Safety and Environmental Management Authority](#) prescribed [regulations](#), supplementary [diving operations](#) and other [guidelines](#). However, up to seven divers have since reported debilitating nervous complaints, consistent with acute [high pressure neurological syndrome](#). [2056-2063](#)

Initial symptoms include [compression arthralgia](#), which produces excruciating joint pains in the knees and shoulders followed by [cognitive impairment](#), hallucinations, nausea, headaches and [delirium tremens](#). These conditions often subside quite quickly but several of the divers experienced prolonged and enigmatic emotional disorders. The compression or blowdown schedules for [deep saturation dives](#) over 240 metres usually exceed 20 hours. Diving logs must be documented and the organisation is required to maintain records for at least seven years. [2064-2067](#)

It is alleged the hired divers endured an extremely unusual [rapid descent](#) over five or eight hours. This was completed in accordance with [US Navy](#) diving schedules which provide exclusive and alternative blowdown guidelines for emergency situations such as submarine rescues or retrieval of nuclear warheads. The [regulatory authority](#) was [notified](#) of the incident over five months later and the victims have become pariahs. Many are terrified of losing their diving licenses and livelihoods and traditional delay, deny and die tactics have emerged with the rejection of workers' compensation claims. The DOF Subsea [vision](#) is *to be a world class integrated offshore company delivering marine services and subsea solutions responsibly*. Inpex remains absolutely committed to protecting the health and safety of its employees via its credo.....[Anzen dai ichi](#), which is Japanese for whatever it takes. [2068-2073](#)

Responsibilities, supervision and consultation

Responsibilities with contingent labour hire are often fragmented and confusion abounds as to whether arrangements are a [contract of service](#) or a [contract for service](#). This generates legal and organisational uncertainty. The networks are quite intricate and courts adopt a [multi factorial approach](#) to confirm precise contractual relationships, which evaluates the degree of control, level of integration and the totality of interdependence. [2074-2080](#)

Labour hiring agencies experience extreme difficulty in the supervision of its employees, especially across multiple sites, with host organisations more than willing to relay or transfer the associated risks. It becomes increasingly complex to synchronise activities, manage risks and coordinate decisions. Agency employees are often unfamiliar with the host site and its workforce, which significantly increases work health and safety risks. [2081-2083](#)

Consultation mechanisms are also compromised through deliberate or inadvertent exclusion of agency employees from the host health and safety committee meetings. It creates a fertile environment for reactive [accident theory](#). Moreover, many of its Dickensian symptoms, which include blame, fear and retribution, evolve and flourish accordingly. [2084-2087](#)

The uncertainty and legal complexities generated by the [gig economy](#) and its malevolent [precariat](#) creates negative behaviour patterns with increasing injury rates, escalating [psychosocial risks](#) and chronic health problems. This may be a significant contributory factor in the resurgence of coal workers' pneumoconiosis throughout [Appalachia](#) in the United States and across the [Bowen Basin](#) in Queensland Australia. [2088-2095](#)

Accident theory

A second class mind dealing with third class material is hardly a necessity of life

Harold Laski ²⁰⁹⁶

Accident theory emerged in the 1930s following the great depression and was immortalised by the work of **Heinrich**. It remains conventional with many organisations, evangelical safety crusaders and careerist zombies despite its reactive, foreboding and happenstance nomenclature. The **domino** model with its linear view of causality has been embraced by countless global American corporations and its interpretations are overly simplistic and rather idiosyncratic. Its fragile logical analysis and scientific rigour is littered with pejorative terminology and targets downstream using reductive, mechanistic and rectilinear cause effect ideology. This relies heavily on the benefit and bias of hindsight, which creates a robust cognitive illusion with a pernicious influence on decision makers. ²⁰⁹⁷⁻²¹⁰⁷

Causation

Cause and effect ideology is a fundamental tenet of **accident theory** and evolves because life can only be understood backwards but must be lived forwards. It is a simplistic and clockwork mechanistic approach underpinned by lazy logic and the ganglions of blame, fear and retribution. It is embraced by many safety evangelists and careerist zombies without any concept of critical thinking or discernment, which probably explains its persistent popularity and endurance. **Causes** are categorised as **material, formal, efficient or final** and more commonly identified as necessary, sufficient and contributory. These in turn are classified as **proximate or ultimate** and are interconnected. It creates a tortuous labyrinth of permutations and combinations rendering the quest somewhat elusive and often futile. It frequently yields tenuous relationships, which is neatly summarised by the statistical caveat.....*Correlation does not imply causation.* ²¹⁰⁸⁻²¹¹⁰

Contemporary discussions from **Collingwood** conclude that causation is metaphorical and simply a relic of animism foisted upon a science to which it is irrelevant. The term is a linguistic convenience but more often an impediment to understanding the scientific process that leads to injury, damage and loss. It is regularly used in the applied sciences, especially engineering and medicine. This diverts attention from prevention and controlling the future to retribution and blaming the past. ²¹¹¹⁻²¹¹²

Unsafe acts and conditions

Heinrich's research on [accident theory](#) concludes 98% of workplace accidents involve unsafe acts and conditions. Its fundamental weakness is an inordinate reliance on the judgemental term unsafe, which is so easy to establish following an event but surprisingly difficult to determine beforehand. This overwhelming emphasis on unsafe acts diverts attention from [operational risk](#) to general safety hazards. It places an unwarranted focus on system noise and leads to ignoring signal, which can and has resulted in catastrophic consequences. It generates [cognitive dissonance](#) and creates [dispositional and situational attribution error](#), which breeds blame and fear. The next casualty is truth and the subsequent investigation is compromised. [2113-2120](#)

Another significant anomaly is that unsafe acts or conditions are seldom [sufficient or necessary causes](#) of workplace accidents. This descriptive and subjective classification does not consider the process involved and fails to account for operator competency and analysis of their knowledge, skills and experience. Unsafe acts or conditions are usually [contributory proximate causes](#) but are often incorrectly categorised to suit customary conventions. A human being is not an infallible machine and the expectation of perfection is somewhat unrealistic. [2121-2122](#)

Taylorism and scientific management

Many global corporate behemoths with authoritarian or militaristic structures display symptoms of entrenched [Taylorism](#). This depicts employees as extensions of machines and alienates them from their work. [Accident theory](#) thrives under such conditions, with its focus on unsafe acts, cause effect dogma, blame and [operant conditioning](#). [2123-2125](#)

Casual labour hire arrangements and [technopoly](#) via the introduction of new technology often generates insecurity and atavism and employees frequently resort to managing the structure, especially in adversarial environments. [2126-2127](#)

In sporting vernacular, they play the man not the ball and [Kaizen](#) principles, which emphasise that systems and processes influence performance, are neglected or discarded. [Sociotechnical systems](#) theory is reviewed by [Trist](#) and [Bamforth](#) and [Appelbaum](#). The technological impact and its transformation of organisational structures and culture is discussed extensively by [Drucker](#) and [Postman](#). [2128-2132](#)

Bedwetters anonymous

All professions are conspiracies against the laity

George Bernard Shaw ²¹³³

The recent resources boom across Australasia involved construction of major gas projects throughout [Queensland](#), [Western Australia](#), [Northern Territory](#) and [Papua New Guinea](#). This created an unprecedented demand for the provision of health and safety advisors, who were also required throughout the mining and renewable energy sectors. It placed a tremendous strain on human resources. The activity was often subcontracted to recruitment consultants or labour hiring agencies and included engagement of migrants on temporary working visas. Discussions with many colleagues and personal experience confirms resourcing processes were somewhat rudimentary and fragmented. This has damaged the legitimacy of industrial safety and left it morally bereft and philosophically rudderless. It is treated with disrespect and regularly disparaged amongst the civil, mechanical and electrical engineering professions and many other disciplines. ²¹³⁴⁻²¹⁴²

At the turn of the millennium, the federal government under [John Howard](#) intensified its political and economic destabilisation campaign. It received ingratiating assistance from the [four horsemen of the apocalypse](#), which included [Peter Reith](#) (Conquest), [Kevin Andrews](#) (Famine), [Tony Abbott](#) (War) and [Philip Ruddock](#) (Death). The truly independent [National Occupational Health and Safety Commission](#) was eviscerated, transferred to Canberra and only nine employees relocated. Its entire [epidemiology unit](#) refused reallocation offers and the commission was officially dissolved in 2006. Meanwhile, government funding for research and education establishments was brutally slashed. ²¹⁴³⁻²¹⁵⁰

Back in 1979, the Ballarat College of Advanced Education launched its graduate diploma in occupational hazard management and eventually established the highly acclaimed Victoria Institute of Occupational Safety and Health ([VIOOSH Australia](#)). This was integrated into its engineering faculty at the [University of Ballarat](#) Mount Helen campus and offered an extensive range of tertiary education courses. Its funding and other resources were eventually gutted and many senior lecturers and eminent academics became collateral damage. Following a merger with the [Monash University Churchill](#) campus it was renamed [Federation University](#) and no longer offers any professional [accredited](#) safety education programs. ²¹⁵¹⁻²¹⁵⁶

The sandstone [University of Sydney](#) offered a Master of Occupational Health and Safety program under the guidance of its emeritus professor [Ron McCallum](#). However this course was terminated in 1996, shortly before the National Occupational Health and Safety Commission vacated its Sydney headquarters, which were conveniently located near the [Camperdown](#) campus and [Office](#) of the [New South Wales State Coroner](#). ²¹⁵⁷⁻²¹⁶¹

The [University of New South Wales](#) also provided an extensive range of tertiary education programs via several notable academics including [Michael Tooma](#), [Michael Quinlan](#), [Jean Cross](#) and the late [Chris Winder](#). However in 2010, following a realignment of strategy its [School of Risk and Safety Sciences](#) closed and courses were no longer delivered. The [Australian National University](#) in Canberra established the [National Research Centre for OHS Regulation](#), which advocated excellence in occupational health and safety research and regulation. It received funding from the National Occupational Health and Safety Commission, the [Australian Research Council](#), [Safe Work Australia](#) and several state regulatory authorities. Research was conducted under the guidance of its directors and prolific team including [Neil Gunningham](#), [Richard Johnstone](#), [Liz Bluff](#) and [Jan Hayes](#). In recent years grants and funding were reduced to breadcrumbs and studies diminished accordingly. This prolonged destabilisation campaign forced many established institutions to seek alternative funding via corporate business partnerships, which is overtly promoted on several university websites. The University of Western Australia [Business School](#) engages with many external corporate guerrillas including [BHP](#), [Wesfarmers](#), [Woodside](#) and [Clough](#)....*To create enduring and mutually beneficial partnerships*. Its alumni is a cast of flamboyant entrepreneurs although several notable omissions include [Bernie Madoff](#), [Brian Burke](#), [Laurie Connell](#), [Warren Anderson](#), [Tom Domican](#), [Abe Saffron](#) or the enigmatic [Christopher Dale Flannery](#). ²¹⁶²⁻²¹⁸⁷

[Central Queensland University](#)....*Is committed to developing strong and mutually beneficial partnerships with business and industry*. This provides opportunities for research, scholarships, training and supply of goods or services and many renowned insurgents including [Rio Tinto](#), [BHP](#), [Anglo Coal](#), [Glencore](#) and the [Queensland Resources Council](#) were soon champing at the bit. At [Monash University](#) an [Industry Council of Advisers](#) plays an integral role in its business engagement strategy. This includes executives from many corporate behemoths, which enables the university to establish sustainable relationships with industrial and commercial sectors. ²¹⁸⁸⁻²¹⁹⁵

The adverse impact on education and research is quite predictable and somewhat malevolent. Indeed, the safety curriculum at these institutions embraces scientism or positivism. Its objective science, technology, engineering and maths paradigm adopts a mechanistic systems approach with a myopic and extremely narrow focus on behaviour and culture. It disregards many of risk's subjective elements and its social atomisation with an inordinate emphasis on compliance and enforcement via indoctrinating slogans and absolute ideologies such as zero harm embraces or encourages individualism. This destructs incidental learning and progressively destroys communities of practice. Numerous universities, business schools and colleges have since degenerated into callous mercenary enterprises and student affluence takes precedence over academic aptitude. The curriculum reflects the objectives of its platinum corporate sponsors, which align with the Friedman doctrine. It distorts the quality, diversity and standard of education, which eventually deteriorates and generates a pandemonium of parrots holding superficial degrees or doctorates and squawking safety differently or zero harm. This unhealthy alliance with corporate sponsors also has a detrimental effect on research activities. Any grants or funding can compromise independence and emasculate the integrity of epidemiological health studies or surveys. Its extent is quite sinister and scientism has an established tradition of manipulating evidence, data and analysis to create and maintain an auspicious environment for industry at material and ideological levels. Indeed, Clive Palmer is the only notable omission from the University of Queensland Sustainable Minerals Institute advisory board. Bad science has been exposed throughout the pharmaceutical sector by Dr. Ben Goldacre and the recent Monsanto papers covering glyphosate approval reinforce the extent of the perfidy. ²¹⁹⁶⁻²²¹³

Australian Labor Party

The Australian Labor Party constitution claims it is a democratic socialist establishment although it is not elected to manage capitalism but to change society and define its finer values yet it prefers an Americanised version of its name. This reflects its tolerance of a laissez faire doctrine and free market ideology that would leave many genuine socialists such as Keir Hardie, Tony Benn, Michael Foot, Aneurin Bevan and Barbara Castle, turning in their graves. Indeed, Michael Foot was instrumental in the development and implementation of health and safety legislation in the United Kingdom following the Aberfan disaster in 1966 although a cunning and unctuous Lord Alf Robens received most of the acclaim. ²²¹⁴⁻²²²⁴

Its shallow commitment to safety is evident via the current [policy forum](#) and national platform, [A Fair Go for Australia](#), which merely contains several pages of superficial rhetoric without any substantive evidence of policy, restructuring or radical surgery. This was antagonised via an egregious decision to award its [former leader](#) and elected prime minister with [life membership](#) of the party. Expulsion or rustication would have been a more condign option, especially following the [home insulation program](#) and treatment meted out to [Kristina Keneally](#). Moreover, the [treacherous](#) solipsist [renounced socialism](#) as an arcane 19th century doctrine shortly before the 2007 [general election](#) yet [Mark Latham](#) remains a pariah. Following an unanticipated federal election defeat in May 2019, its [national secretary](#) resigned and recently secured a lucrative sinecure with [KPMG](#) alongside [Paul Howes](#), the former [Australian Workers' Union](#) stalwart. ²²²⁵⁻²²³⁴

Since 1996 the [Liberal Party of Australia](#) embarked on a determined political and economic destabilisation crusade, which emasculated and eviscerated the entire workplace health and safety framework. Meanwhile, the [Australian Labor Party](#) offered minimal resistance amidst the prolonged neoliberal maelstrom with its malevolent freedom to harm. [Safe Work Australia](#) was eventually established although it is merely a captured agency without any genuine independence or effective tripartite arrangements. Union representation is purely symbolic and reinforced with sloganeering via its [change the rules](#) campaign and the chimera of national uniformity with harmonisation of safety legislation remains chaotic. The current predicament is not unique and society has continually encountered many disruptive challenges. Indeed, [Karl Polanyi](#) offers extensive analysis of social and political upheavals during the rise of the [market economy](#) throughout England and provides several useful lessons. However, it requires commitment with sensible decisions from incumbent governments to tackle the risk, which indicates many ominous [winters of discontent](#) are imminent. ²²³⁵⁻²²⁴¹

Safe Work Australia

[Safe Work Australia](#) develops national policy relating to work health and safety and workers' compensation. It was established under the [Safe Work Australia Act](#) in a feeble attempt to restore independence, tripartite arrangements and integrity following the dissolution of the National Occupational Health and Safety Commission. This legislation prescribes requirements covering disclosure of interests to the minister in accordance with the [Public Governance, Performance and Accountability Act](#). It also provides the industrial relations [minister](#) with excessive and formidable authority, which includes the appointment of a chair and nominated government, employer and employee representatives. ²²⁴²⁻²²⁴⁵

The current [chair](#) has a rather flamboyant [corporate background](#), which includes previous executive and senior management roles with [Westpac](#). The financial services provider received harsh and justified criticism during a recent [banking royal commission](#) and has lost its moral compass, which is quite an achievement because it never had one. At the turn of the millennium, a tenure with [McKinsey & Company](#) was embraced with unbridled enthusiasm and attracted a flattering [sobriquet](#) from several colleagues. A more recent role as chairperson with infrastructure company [Broadspectrum](#), which managed the barbaric regional processing centre on [Manus Island](#) may have weathered the abrasive leadership traits. [2246-2252](#)

Each year [Safe Work Australia](#) supports [national safe work month](#) and a recent theme consists of another slogan and [sophism](#).....*A moment is all it takes* but the resurgence of [black lung](#) in Queensland's coal mining industry took much longer. The promotional video features its chairperson [delivering](#) the refrain with the sincerity and compassion of a commercial television [news anchor](#). It appears somewhat incongruous with previous executive appointments, especially the tenures at Westpac and [Broadspectrum](#) and is redolent of rank hypocrisy. In an era of rampant [casino capitalism](#) the [revolving doors](#) are well lubricated for the [barbarians at the gate](#) and policy or [regulatory capture](#) prevails. Additional roles include an appointment as a board member with the University of Western Australia [Business School](#) and sinecures as a non-executive director with [Wesfarmers](#) and [AGL Energy](#). [2253-2266](#)

[Western Australia](#) and [Monash](#) universities received [funding](#) from Alcoa for an independent [Healthwise](#) study, which confirmed there was no causal nexus between working conditions and adverse health effects experienced by Alcoa employees. The state government under [Alan Carpenter](#) eventually approved the controversial expansion of [Alcoa's Wagerup](#) facility. The former labour premier joined [Wesfarmers](#) as its executive general manager [corporate affairs](#) in December 2009 and has since transitioned to a senior advisor role that involves extensive collaboration with the group managing director. It is a diversified company and its primary [objective](#) is.....*To provide a satisfactory return for its shareholders*, which mirrors the [Friedman doctrine](#). Its industrial division includes [Blackwoods](#), a major supplier of personal protective and safety equipment. It also owns the [National Safety Council of Australia](#), a [registered training organisation](#) offering an extensive range of consulting and training services. The current chair of [Safe Work Australia](#) joined Wesfarmers as a [non-executive director](#) in August 2009. [2267-2281](#)

The Safe Work Australia [strategy](#) is reinforced by a superficial vision for.....*Healthy, safe and productive working lives*. This is supported by a rather tenuous statement and another sophism proclaiming....*It has been shown that good work health and safety improves long term business productivity*. This furtively promotes [neoliberal policies](#), which advocate [free market fundamentalism](#) with a [laissez faire](#) doctrine of deregulation. [2282-2284](#)

The causal nexus between safety and productivity (production per unit of time) is diffuse, [probabilistic](#) and certainly not deterministic, which is reflected in the International Commission on Occupational Health [code of ethics](#). It is also incompatible with the fundamental tenet of safety [legislation](#), which is to secure the health and safety of people at work. Labour, which encompasses health, safety and welfare is independent of and far [superior](#) to capital and conjoining safety to productivity could be considered unethical. Indeed, exceptional productivity does not equate to superior safety performance and reinforces that correlation does not imply causation. [2285-2288](#)

The global intensification of state and corporate interests worships productivity or profit like manna from heaven and treats labour as a disposable commodity and occupational injuries, ill health or diseases are merely collateral damage. This is reflected by the increasing disdain and shallow commitment from neoliberal governments towards workplace health and safety. Indeed grants and sponsorships provided by [Safe Work Australia](#) since 2016 amount to less than \$180,000. Moreover, [David Cameron's](#) infamous comment to.....*Kill off the [health and safety](#) monster for good* has reverberated around the world. [2289-2291](#)

Safety Institute of Australia

The [Safety Institute of Australia](#) is the [national association](#) for the health and safety profession. It liaises with corporate and strategic partners who share its goals and collaboratively engages with organisations to ensure objectives are achieved. It was originally a member of the [National Occupational Health and Safety Commission](#) and supported a range of tertiary educational programs via the [University of Ballarat](#) and its Victoria Institute of Occupational Safety and Health ([VIOSH Australia](#)). This ceased following dissolution of the commission and grants from [Safe Work Australia](#) since 2010 have amounted to a meagre \$15,500. It recently endured a prolonged bout of disunity and internecine bickering, which culminated in civil action for [defamation](#) with a significant undisclosed out of court settlement. [2292-2298](#)

The transformation from liberal capitalism to corporate dictatorship has witnessed its appreciation of the [Friedman doctrine](#) and it operates like a [captured](#) agency with [obedience to the orthodoxy](#). It is merely another cog in an enormous festering [Ponzi scheme](#), which embraces franchising with [pyramid selling](#) and aggressive or deceptive telemarketing. This is reflected by its vision for.....*Safe and healthy workers in productive workplaces* and commercial imperatives via this unsubstantiated link compromises professional ethics. It was recently assigned copyright for the [body of knowledge](#) with financial responsibility for its maintenance and improvement. Its funding is limited and [corporate sponsorship](#) is encouraged, which increases policy or [regulatory capture](#) risks. The [body of knowledge](#) provides a foundation for accreditation of professional education programs via the [Australian OHS Education Accreditation Board](#) with support from several [corporate gangsters](#), which include the conspiratorial [Leighton Holdings](#) and a major [labour hire](#) provider. It is stacked with [political appointments](#) and a byzantine network with potential conflicts of interest ensures curricula reflect the [Friedman doctrine](#). The [inaugural registrar](#) recently received an [Order of Australia](#) from the Safety Institute of Australia [patron](#) and Commonwealth Governor-General, His Excellency General the Honourable [Sir Peter Cosgrove](#) AK MC (Retd). ²²⁹⁹⁻²³¹⁶

The body of knowledge also facilitates proficiency of safety professionals via the Safety Institute of Australia [certification scheme](#), which aligns with the [Global OHS Capability Framework](#) from the [International Network of Safety and Health Practitioner Organisations](#). This details the [capability](#) and credibility of [safety practitioners and professionals](#) but the descriptors are merely splitting hairs with trivial distinctions and pettifogging. It is littered with ambiguity, vainglorious marketing bilge, [obscurantist](#) drivel and binary logic with a discourse of perfection and denial of [fallibility](#). [Extensive criticism](#) regarding its inordinate positivism and [Weltanschauung](#) or worldview has emerged. It remains influenced by accident theory with an overwhelming focus on [operant conditioning](#), rational decision making and a didactic concept of [culture](#) as.....*The way we do things around here*. This is exacerbated by fundamentalist [zero harm](#) ideology, which was embraced by hordes of micturating sycophants at the recent [World Congress](#) on Safety and Health at Work in Singapore. An obsession with science, engineering, regulation and metrics has created a brutal compliance and enforcement regime. Any quest for [professionalisation](#) requires a [transdisciplinary](#) approach with a focus on caring, listening and learning as opposed to telling, blame, [crime and punishment](#). ²³¹⁷⁻²³³²

The certification scheme includes initial [application, upgrade and annual maintenance fees](#) with special discounts and a set of steak knives for Safety Institute of Australia members. Moreover, extensive [lobbying](#) has commenced to legislate the process, which is merely a cash cow and redolent of [regulatory capture](#). It will eventually involve franchising and degenerate into a tyranny of bureaucracy. Commercial imperatives will destroy its integrity and render certification meaningless. It will become as ineffective as [construction inductions](#), [independent](#) or [self-insurance](#) audits, [inspection reports](#), proprietary [incident investigations](#) and certificates or verification of competency nostrums. Indeed, the only individuals who could possibly fail a white card induction are the incumbent [federal education minister](#) or his [predecessor](#). ²³³³⁻²³⁴²

Another [disturbing trend](#) following dissolution of the National Occupational Health and Safety Commission involves the retirement of many eminent safety academics. Most of the prolific researchers from the 1980s including [Dennis Else](#), [Michael Quinlan](#), [Neil Gunningham](#) et al will require successors but insufficient funding and a shift in educational strategies is potentially devastating. The Safety Institute of Australia has created several [trojan horses](#) via its catabolic [Young Safety Professionals](#) and [Women in Safety and Health](#) networks. This merely regurgitates the blame dichotomy and promotes [accident theory](#), [human factors](#) or [cultural maturity](#) with [professional certification](#) via its body of knowledge. Indeed, a #whssapphiclivesmatter campaign or LGBTQTIWTF safety practitioner fellowship is imminent. Maybe it should consider merging with Safe Work Australia and a relocation to Pyrmont, within smelling distance of Sydney fish markets.....[Hasta cuando](#). ²³⁴³⁻²³⁵⁴

Despite its quest for professionalisation, the Safety Institute of Australia does not have a code of ethics. It is merely a signatory to a [document](#) developed by the [Health and Safety Professionals Alliance](#). This offers guidance on ethical and service standard issues and does not advocate any causal nexus between safety and productivity. Over many years, industrial safety has gone to utmost extremes to establish a presence but it appears incapable of ascertaining its identity. Many colleagues have removed safety descriptors from their job title, which was perceived as a barbecue stopper and often treated with mirth, contempt or disdain. This is reflected via the Safety Institute of Australia's abysmal response to the resurgence of [coal workers' pneumoconiosis](#). Despite its [vision, mission statement and values](#), it failed to provide any [submissions](#) to the parliamentary inquiry or afford official representation at the numerous [public hearings](#).....[Hello darkness my old friend](#). ²³⁵⁵⁻²³⁶¹

National Safety Council of Australia

The [National Safety Council of Australia](#) has a turbulent and chequered history and its Victoria division attracted extensive media coverage during the 1980s via a \$300 million fraudulent scheme involving its charismatic [executive director](#). More [recent investigations](#) indicate publishing and lodgement of financial statements with the [Australian Taxation Office](#) supported by creative accounting practices was somewhat mediocre or even deceitful. Declarations were littered with elementary errors including concealed tax liabilities, insufficient superannuation payments and unrecorded credit card expenses. Its former [chief executive officer](#) became an executive director with [WorkSafe Victoria](#). The company was technically insolvent and its [fiscal chicanery](#) did little to preserve or enhance public confidence in the [not for profit sector](#). It only remained trading via an arrangement with the tax office, which allowed repayment of \$1.5 million tax liabilities via instalments. Any private firm operating in such a precarious predicament would have been placed under external administration. It was eventually thrown a lifeline and acquired by [Wesfarmers](#) and integrated into its [industrials and safety](#) division with [Blackwoods](#), [Bullivants](#) and [Greencap](#). This offers industry an extensive range of [risk management consulting](#) services and [vocational training](#) programs supplemented by a proliferating selection of [personal protective](#) and [industrial safety](#) equipment. The [foundation](#) division manages membership services and values its autonomy. It proclaims independence from the [National Safety Council of Australia](#) although there is no such thing as an independent prostitute. [2362-2376](#)

The diversification creates a byzantine labyrinth of vested interests with numerous self-serving opportunities. Its sinister trajectory is much like franchising and furtively obfuscates [duty of care](#) requirements. [Consulting services](#) become displacement activities and the specialist merely borrows your watch to tell you the time. It is like feeding strawberries to a donkey and inevitably involves implementation of [lower order controls](#). This provides satisfactory returns for its shareholders as opposed to [securing health and safety](#) of people at work. It culminates in a tyranny of bureaucracy and generates a foreboding culture of [compliance and enforcement](#) underpinned by blame and fear with increasing psychosocial risks. This is exacerbated by standard operating procedures for mundane activities such as [tying safety boot laces](#), climbing stairwells or even documenting safe work method statements, which merely protect the writer. Projects are festooned with mindless warning signs supplemented by [indoctrinating inductions](#) and certificates or verification of competency nostrums from an accredited witchfinder general with ominous warnings about hell and handcarts. [2377-2383](#)

The [primary objective](#) of Wesfarmers is to provide a satisfactory return to its shareholders, which reflects the [Friedman doctrine](#). Its only social responsibility is to use its resources and engage in activities designed to increase its profits provided it fulfils legislative requirements and partakes in open and free competition without deception or fraud. Its [managing director](#) is a member of the University of Western Australia [Business School](#) advisory board, which also includes the current chair of [Safe Work Australia](#), who is a [non-executive director](#) with [Wesfarmers](#). There are prescribed requirements covering disclosure of interest under the [Safe Work Australia Act 2008](#) but somewhat remarkably these can be retracted for matters relating to [model legislation](#) or [codes of practice](#). A member of the [Australian OHS Education Accreditation Board](#) is the [general manager](#) of safety, health and wellbeing with [Coles](#), a [Wesfarmers subsidiary](#). This incestuous reptilian network renders it quite difficult to establish who or what is the head of the snake. Indeed, a perception of materialist and cognitive regulatory or [policy capture](#) prevails, especially following its recent acquisitions.....*O, what a tangled web we weave when first we practise to deceive.* ²³⁸⁴⁻²³⁹⁸

Recruitment processes

The minimum qualification required for field safety advisor roles was a [Certificate IV](#), which was offered by many [registered training organisations](#). Accreditation was obtained in less than a week at a cost of \$300 and many labourers or tradesmen seized the opportunity. Clients and major contractors offered substantial commissions for the engagement of safety advisors. Superficial telephone interviews were conducted by recruitment consultants or labour hiring agencies with a limited awareness of the workplace health and safety curriculum and even less familiarity with the [Australian qualifications framework](#) (Figure 7). ²³⁹⁹⁻²⁴⁰¹

Projects were besieged by evangelical safety crusaders wielding [Maslow's hammer](#), the law of the instrument, without any perspicacity or concept of business systems and processes. They were soon lost if not bossed and terms such as unsafe, buddy, hazard, mate and risk were often used indiscriminately and synonymously. Many advisors were unable to articulate the fundamental test for a hazard or distinguish between qualitative and quantitative data or descriptive and inferential statistics. An enforcement and compliance ideology soon evolved with bedwetting acolytes patrolling projects in a relentless pursuit of unsafe acts to fulfil their allocated key performance indicators and uphold the [zero harm chimera](#). ²⁴⁰²⁻²⁴¹¹

Figure 7: Australian qualifications framework



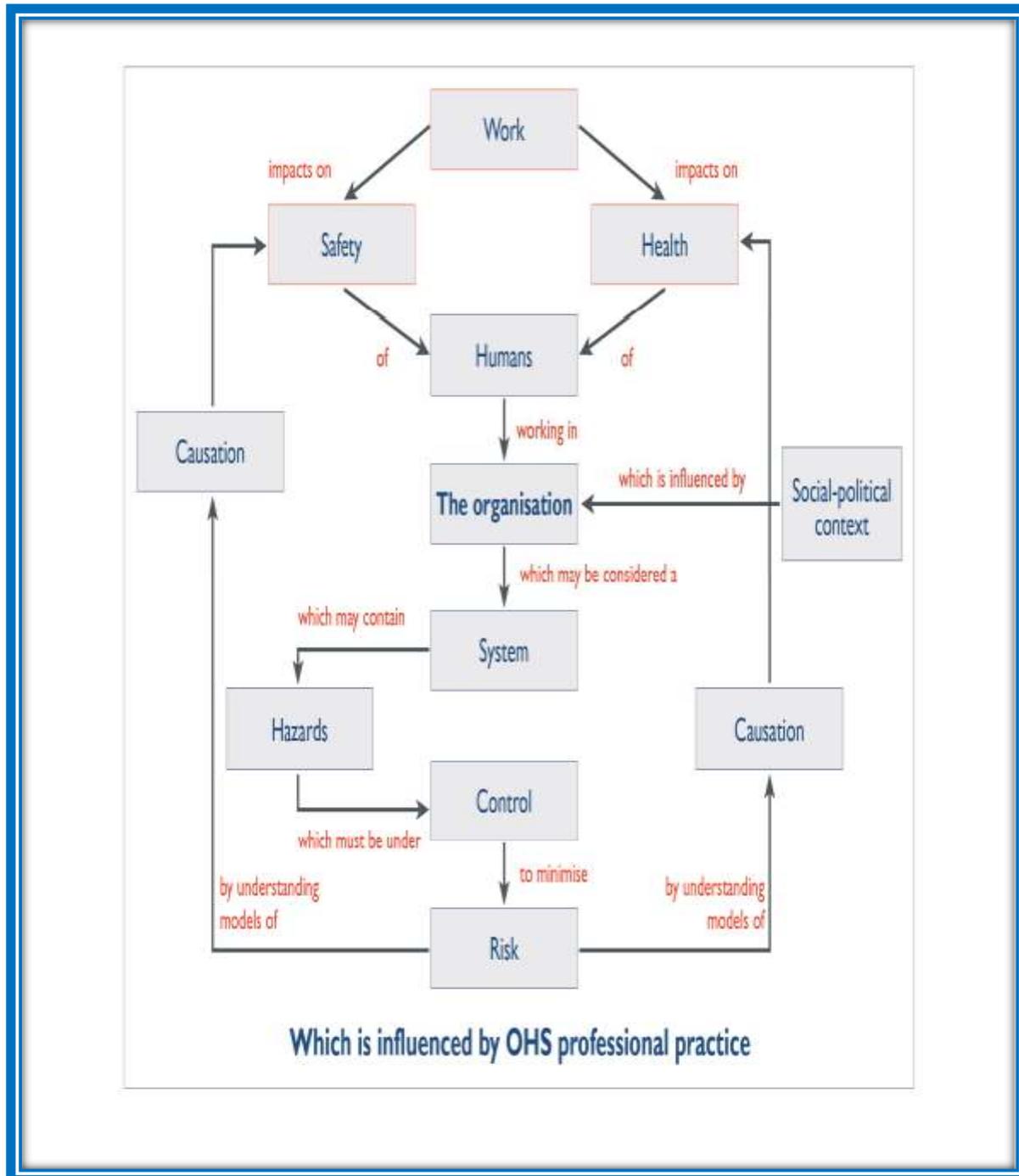
Australian Qualifications Framework 2nd Edition January 2013; p. 19

The engagement of safety advisors from military, services or nursing backgrounds is common across most resources projects. It suits command and control structures with a compliance and enforcement dogma but merely exacerbates the situation. Unsafe acts often trigger disciplinary action, which include formal warnings or dismissal followed by the safety proselyte's shrill admonishment.....*He didn't follow procedure*. Administrative protocols such as safe work method statements do not significantly reduce the risk. They are merely overly bureaucratic documents, which provide an otiose attempt to cover every conceivable contingency and are usually written to protect the writer. [2412-2415](#)

Recruitment processes for senior safety roles also require improvement. Project and corporate safety managers are often appointed holding an undergraduate degree without a foundation science background and emerge as careerist zombies. Many operate like creative accountants to circumvent legislation and ensure productivity remains paramount. Strategies are developed, which align with risk management principles but at an operational level the redolent symptoms of atavistic [accident theory](#) prevail. If the scientific approach to risk management and safety is ignored or unappreciated it soon defaults to a superficial common sense doctrine garnished with flavour of the month nostrums. Society readily acknowledges requirements for medical specialists regarding the diagnosis and treatment of injury or disease. However, supporting science relating to identification and control of industrial safety risks is frequently dismissed and ridiculed. [2416-2417](#)

Work impacts on the health and safety of people in organisations, which are systems that are influenced by its sociopolitical environment. The risks must be reduced using suitable models of causation and proportional controls to create a better and safer workplace. A safety professional applies specialised practice to assist and influence the organisation in achieving this sustained improvement. Recruitment processes during the natural resources boom have [dumbed down](#) the occupational health and safety discipline. Its reputation amongst many professions is disparaged and any skerrick of integrity has been shredded. Safety advisors and human resources consultants must review the [body of knowledge](#) framework, which is detailed in [Figure 8](#) and understand its intent. A robust code of ethics supplemented by an extensive revision of the curriculum and improved recruitment processes is critical in order to repair its tattered image and restore some much needed legitimacy. [2418-2421](#)

Figure 8: Occupational health and safety body of knowledge framework



The Core Body of Knowledge for Generalist OHS Professionals

(Synopsis April 2017; p. iii)

Occupational health and safety curriculum

After almost 30 years an extensive review of literature confirms there is no clear agreement covering the role of generalist safety professionals throughout industrial and commercial sectors. The discipline is currently renowned for its excessive [Kafkaesque](#) bureaucracy and brutal gotcha culture. It is underpinned by puerile [binary oppositional logic](#) with an emphasis on regulations and compliance to the letter of the law. This places an inordinate focus on objects or insignificant hazards and diverts attention from subjects or [operational risk](#). A dearth of [critical thinking](#) or discernment is evident, which destroys creativity, learning and innovation. It eventually depersonalises and disparages humans who are ultimately treated like [Taylorist](#) automatons or extensions of machines. ²⁴²²⁻²⁴²⁶

The legislative framework advocates a performance based, preventive, systematic and consultative risk management approach. It is somewhat constrained by an immature and anachronistic safety curriculum. This teleological schema is merely a [cultural reproduction](#) process that signifies its trajectory, projects its future and preserves the interests of the powerful. Political motives are deceptively disguised and invariably support establishments that regurgitate its content and justify their actions within those institutions. ²⁴²⁷⁻²⁴³⁰

The current safety curricula adopts a mechanistic and reductionist perspective that is infatuated by adversarial legislation and [accident theory](#) apothegms, which place an extraordinary emphasis on reactive performance metrics. After several decades industrial safety remains preoccupied by the absence of harm, which has propagated an entrenched culture of [risk aversion](#). It is alienated by a climate of compliance and enforcement that cultivates blame, fear and retribution. ²⁴³¹

The way a curriculum is presented significantly influences learning and it has a profound impact on its students. This is frequently referred to as [incidental learning](#) or the [hidden curriculum](#), which is more often caught rather than taught. The current industrial safety curricula merely treats its students as receptacles for data. It confuses metrics with learning and requires methodological and [ontological](#) change using a [transdisciplinary](#) approach. Even socially autistic mercenary executives from the [Bechtel](#) military academy are quite capable of regurgitating meaningless drivel and squawking shallow repetitive platitudes such as.....*All accidents are preventable* and [zero harm](#). ²⁴³²⁻²⁴³⁷

The [Certificate IV in Occupational Health and Safety](#) does not fulfil accreditation criteria as a professional education program and its coverage of contemporary theories and business processes is extremely limited. It merely provides an overview of an adversarial legislative framework and its systematic and consultative risk management approach. This is supported by an inordinate emphasis on [accident theory](#), [behaviourism](#) and reactive metrics. Its integrity throughout the industrial safety sector is regarded with extreme cynicism. [2438-2439](#)

The current safety curriculum with its scientific, technical, engineering and bureaucratic focus bewilders and demoralises many students and inevitably cultivates [risk aversion](#). It also discourages education and learning, which is exacerbated by an obsessive pursuit of perfection and denial of fallibility. Risk is essentially a subjective concept, despite many attempts to measure it objectively using qualitative and quantitative techniques. Any efforts which disregard its inherent biases or dismiss moral and political issues are fraught with danger. Its reification via an inordinate focus on [structuralism](#), [objectivism](#) and [positivism](#) eventually entangles the process with many of the impurities it attempts to resolve. It is a [wicked](#) and elusive problem and solutions that prove successful with linear cause effect relationships inadvertently generate many toxic derivatives. The prospects are somewhat daunting and can create escalating [psychosocial risks](#). [2440-2446](#)

Notwithstanding the recent significant advances in science, technology and psychology very little is understood about the [human unconscious](#). Risk management decisions inevitably result in concessions or derivatives and any overt actions invariably create covert social repercussions. Human fallibility in a stochastic environment means the elimination of risk is a fallacy. Indeed, without residual risk there is no learning or being and any denial of [fallibility](#) is a renunciation of wisdom. [2447-2448](#)

There can be no absolute prediction of the future and our inherent unreliability with a propensity for risk and necessity to learn inevitably results in some pain and suffering. Any decisions within human activity systems will always involve approximation or [satisficing](#), which is a compromise between known and unknown facts. Furthermore, an obsessive protection from harm increases fragility and vulnerability. It seems rather paradoxical but essential attributes such as resilience, durability and adaptability are actually acquired from real world turbulence, anarchy and exposure to risk. [2449-2451](#)

The [Safety Institute of Australia](#) professional certification scheme has honourable intentions but may propagate a conflict of interest and increase the risk of [cognitive regulatory capture](#). It will eventually degenerate into a meaningless symbolic micturition like the construction industry [white card](#) induction or competency based training tickets. Its mechanistic, scientific and technological focus merely schools or indoctrinates naïve students, stifles creativity and inhibits learning. This is exacerbated by an adversarial and intimidating verification process, which will become as futile as the [JAS-ANZ](#) auditing scheme. ²⁴⁵²⁻²⁴⁵⁵

Several prominent academics have advocated reform via the [safety differently](#) movement. However, the discourse is superficial and merely regurgitates the safe place or safer person dichotomy. The safety curriculum needs restructuring using a [transdisciplinary](#) approach and must recognise risk as a socially constructed and inherently subjective phenomenon. This involves integration of its scientific and technical focus with the fundamental principles of psychology. It requires an increased emphasis on the [social psychology](#) of risk, [critical theory](#), [cognitive dissonance](#), arational [decision making](#), [satisficing](#), education and learning and the power of [semiotics](#) and [semiosis](#). This can resolve many of the inconsistencies between perceived and objective risk and restore some much needed legitimacy to the discipline and repair its tattered image. ²⁴⁵⁶⁻²⁴⁶⁰

Inductions or indoctrination

Another significant issue which has contributed to the duplicity of industrial safety is the site induction process. A coal seam gas project near [Roma](#) in Queensland required eight different safety inductions, which included the meaningless construction industry induction [white card](#). The entire charade had little to do with education and learning and was effectively [single loop training](#) or indoctrination. Indeed, employees from one accommodation camp were prohibited from using an automatic teller machine at an adjacent site because they had not completed its induction. Inductions were also required to use the gymnasium at several camps. This [displacement activity](#) or [cup of soma](#) achieves the precise opposite of its objectives and anaesthetises inductees against learning. It merely involves regurgitation of legislation and corporate directives. Participants are deemed competent via a counterfeit questionnaire that generates a predetermined outcome, which reflects and validates the integrity of the nostrum...*In the long run, spoon feeding merely teaches us the shape of the spoon.* ²⁴⁶¹⁻²⁴⁶⁴

Another brick in the wall

An educated, healthy and confident nation is harder to govern

Tony Benn ²⁴⁶⁵

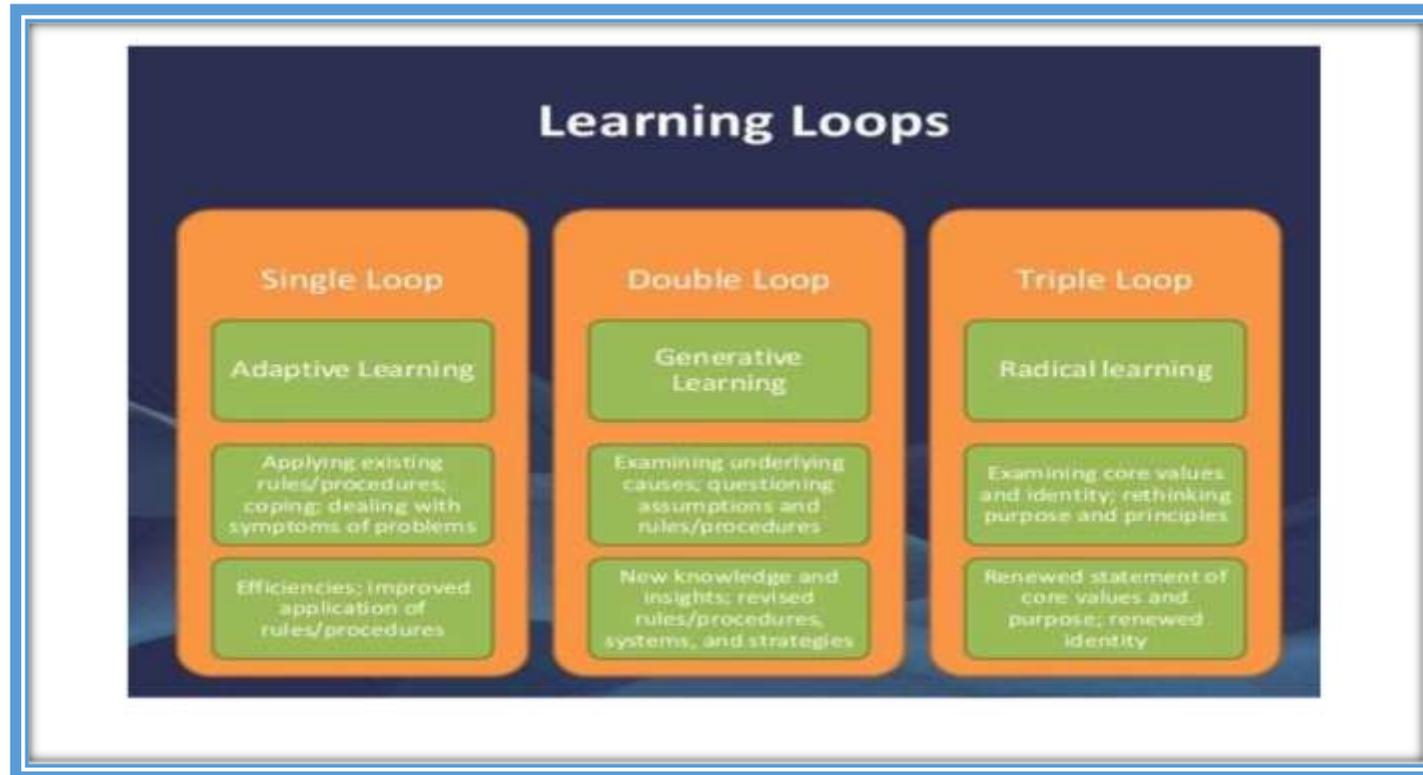
Almost all [education](#) has a political motive, which promotes national, religious or social group interests at the expense of its detractors. It determines the subjects taught, the knowledge provided or suppressed and the customs and conventions students are expected to acquire. In the industrial safety curriculum, learning is akin to schooling and it confuses process with substance. It is mostly indoctrination and the information is merely absorbed and repeated. This obfuscates [teaching with learning](#) and imagination is controlled to accept ceremony over value....*We don't need no education, we don't need no thought control.* ²⁴⁶⁶⁻²⁴⁶⁸

Medical treatment is mistaken for health care, police protection for safety and military prowess for national security. Issues such as welfare, learning, dignity, independence and creativity merely reflect the performance of establishments serving these ends. Education occurs only when there is an ethical intent to enhance the wisdom and development of individuals. It requires a [community of reciprocation](#), empathy, meaning and engagement with an emphasis on self-discipline. ²⁴⁶⁹⁻²⁴⁷²

The ultimate objective is recognizing how to live in the real world surrounded by fallible people in a stochastic environment with an uncertain future. The challenges are quite formidable, especially when careerist zombies with an obsessive focus on perfection and denial of [fallibility](#) endorse incongruous, unrealistic and embarrassing ideologies such as [zero harm](#). This has created a climate of [risk aversion](#) and there can be no learning without risk. Education and learning requires devotion to personal development and commitment to reform using a much more sophisticated ecological and systemic approach. ²⁴⁷³⁻²⁴⁷⁵

[Single loop training](#) or indoctrination restrains progress, which inhibits maturity and wisdom. The acquired knowledge is merely superficial with repetitive vapid clichés such as reaching out or moving forward. [Double loop learning](#) is a generative process that contests traditions and assumptions and encourages creativity to develop alternative trajectories. A paradigm shift only occurs via [triple loop learning](#), which is learning to learn. It cultivates [deep intrinsic knowledge](#) that is much more meaningful and resilient than single loop training or replication of data using algorithms via the fallacy of [machine learning](#) (Figure 9). ²⁴⁷⁶⁻²⁴⁷⁸

Figure 9: Single, double and triple loop learning



Available from: <https://www.google.com.au/search?q=single+double+and+triple+loop+learning&dcr=0&tbm=isch&tbo=u&source=univ&sa=X&ved=0ahUKEwi12KT1-bjZAhVKTLwKHX3sDqsQ7AkIQa&biw=1034&bih=713#imgrc=HzE3K8gR18M2yM:>

Machine learning

The mechanistic archetype that dominates industrial safety with its excessive focus on metrics has generated a tenuous relationship between cultural value and statistics. This inordinate emphasis on data regards the risk as purely scientific and objective, which dismisses its inherent subjective features and many immeasurable attributes. Individuals become enslaved by the deification of systems and are rendered powerless by an overwhelming tyranny of bureaucracy that generates an exponential increase in inertia. [2479-2480](#)

Catacombs of worthless data conveniently ignore the distinction between [descriptive and inferential statistics](#). Feeble cause effect correlations are established in the obsessive pursuit of perfection with the emergence of amorphous traits such as [apophenia](#), [pareidolia](#), [randomomania](#), [clustering illusions](#), [agenticity](#) and [patternicity](#). It generates a chimera of anthropomorphic machine learning using a formulaic ritual. This produces a predetermined outcome with a denial of [fallibility](#) that creates unnecessary complexity, [agnotology](#) and [obscurantism](#). [2481-2485](#)

[Machine learning](#) evolved from the mechanistic disciplines of engineering and computer science, which readily accepts that learning is data transference and replication. This amalgamation of humans with machines or [transhumanism](#) has no reference to subjects and its inordinate emphasis on objects implies anything can learn. Machines have no social identity and cannot dream, create, meditate, fornicate or imagine and the attribution of learning to an object is complete nonsense. The discourse of [machine learning](#) disguises an ideology of perfectionism. Its delusional misrepresentation about learning and faith in machines is merely [technique](#) and a denial of human [fallibility](#).....*Graveyards are full of indispensable men or infallible people.* [2486-2490](#)

The objective of [transhumanism](#) is to radically alter human nature by means of technological advancement. It endeavours to move society into the next stage of human development, where man achieves super intelligence and emotional wellbeing. The rapid expansion of science and technology in the new millennium has radically transformed our social landscape with a foreboding trajectory and corrosive impact on democracy. Society has become more abstract with virtual and fabricated images that are dissociated from real world events and substantive evidence. [2491-2492](#)

A [gig economy](#) has emerged with escalating inequality and stagnating wages. Careerist zombies usurp the working class hero and accumulate or worship objects that merely thrill for a moment and satisfy for a minute. Many of these solipsists are preoccupied by a world of passive vicarious entertainment with little remaining mental energy to address real world problems and tackle risk.....*How beautiful mankind is! O brave new world that has such people in't.* [2493-2494](#)

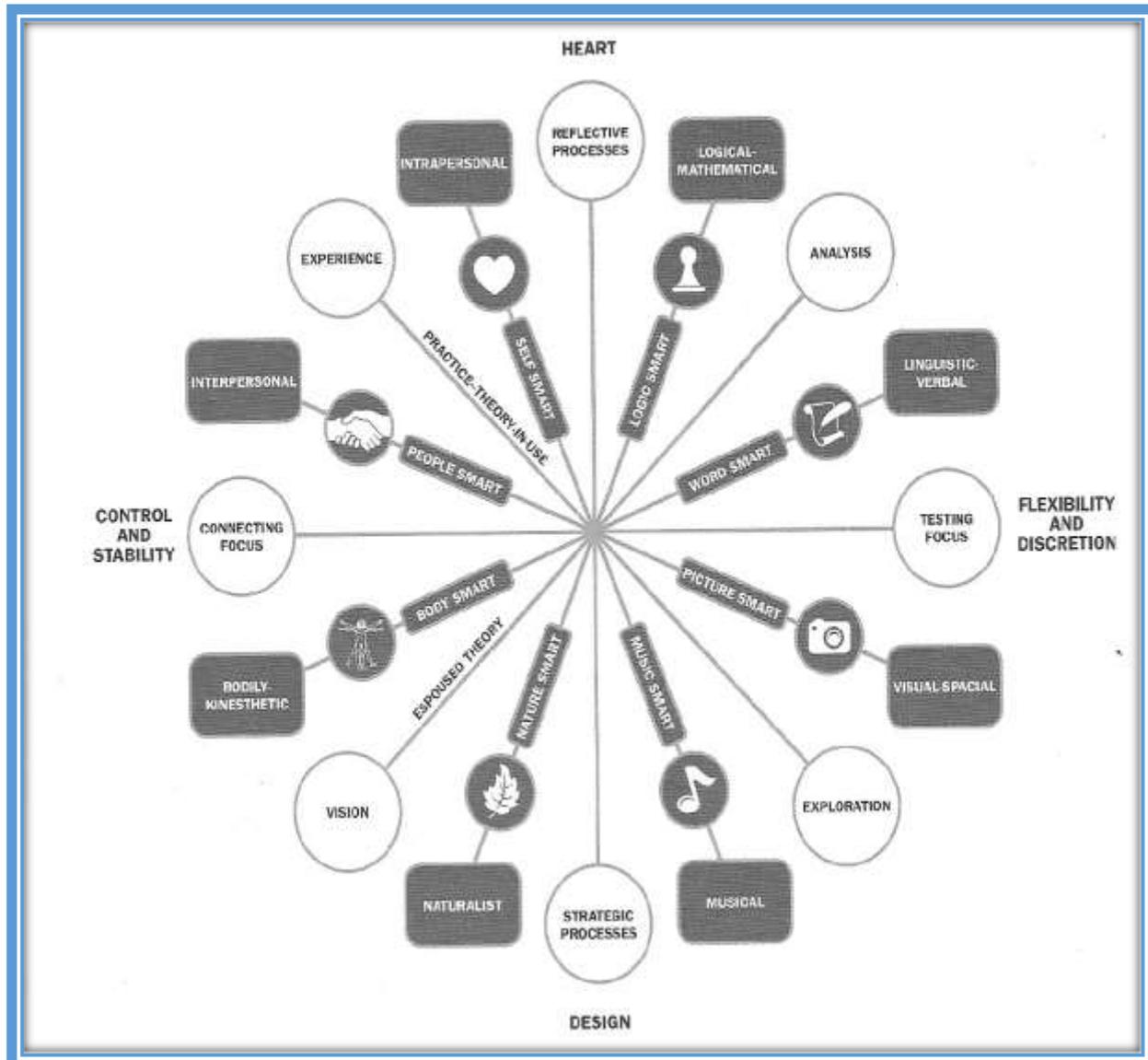
An omnipresent fusion of humans with technology via ubiquitous iProsthetic smartphones flourishes across every high street and throughout that Hades of collective solipsism, the suburban shopping mall. Incoming calls are invariably screened via voicemail with its impersonal automated response, which creates an exponential increase in inertia and [maladaptive anxiety](#). Technology is a patient and contiguous assassin that merely replicates its friendship towards mankind. The forces of mechanisation restrict our ability to make choices or process information. It ignores diverse learning styles and the unique human traits of empathy and free will, which allows mistakes to be confronted with honesty. This enables us to experience reality from different perspectives, which acknowledges [fallibility](#) and inspires each other to repent, recover and learn with dignity. [2495-2496](#)

Learning modes and methods

Many industrial safety practitioners fail to understand the contingent and interrelated nature of education and learning and believe knowledge acquisition and assessment is a neutral process. A binary and simplistic notion of [training, banking and narration](#) is an alienating ideology of oppression and fails to capture the complexity of learning. There are many different modes and methods with no standard prototype that suits every student. Many students learn at different rates and some prefer [experiential learning](#) rather the schooling, teaching or indoctrination. Most tradespersons learn [kinaesthetically](#) but are regularly forced to suffer proselytising inductions via [single loop chalk and talk training](#). [2497-2498](#)

Students are attracted to various modes and methods using [multiple learning intelligences](#), which are described by [Gardner's](#) matrix ([Figure 10](#)). This accentuates the tension in learning differences via a horizontal axis of flexibility and direction v control and stability and a vertical axis of design v heart. There are four principal trajectories across its quadrants that consist of learning by experience, analysis, vision and exploration. [2499-2501](#)

Figure 10: Learning intelligences matrix



Gardner's Learning Intelligences Matrix

(Risk Makes Sense – Human Judgement and Risk. Dr. Robert Long and Joshua Long: 2012; p. 65)

Many students display tiered and preferential tendencies and are inclined to remain longer in a specific quadrant where they learn best. Learning is about experience, change, ownership, awareness and understanding. It also involves perception, motivation, capability, adaptation, thinking and investigation with a specific emphasis on the learner. Training focuses on the content with messages that are conveniently framed by the sender but are often incoherent to the receiver. This is a critical impediment to education and learning, which inhibits cultural change, particularly within the industrial safety sector. Site inductions and many safety campaigns are merely a data dump or indoctrination process. An understanding of [multiple intelligences](#) and different learning styles soon makes it evident there is no panacea. [2502-2504](#)

Learning creates changes in thinking, knowledge, behaviour, values, skills and capabilities, which cannot be attributed exclusively to the overt curriculum or [single loop training](#). It often evolves from oblique information in the [hidden curriculum](#) and involuntary communication conveyed via strategy, actions and subliminal messages. Industrial safety requires a variety of interrelated approaches to enhance the discernment of risk with a significant emphasis on [incidental](#), [situated](#) and [experiential learning](#). [2505-2506](#)

Implicit [incidental learning](#) cultivates [tacit knowledge](#), which is extremely difficult to transfer to other people via standard forms of communication such as talking or writing. It is defined as skills, ideas and experience, which have been attained but cannot be straightforwardly expressed or codified. In many cases people are unaware of their acquired [tacit knowledge](#) and its value to others. Its effective transfer generally requires extensive personal contact, regular interaction and trust. This can only be revealed through practice in a particular context and transmitted through social networks. It is usually captured or caught rather than taught, especially when students join a network or [community of practice](#). [2507-2509](#)

A student can attain [tacit knowledge](#) without language and apprentices often work with their mentors and learn craftsmanship via observation, imitation, and practice. It is extremely difficult for students to share their thought processes without some form of combined proficiency. Learning and education stems from [tacit knowledge](#), which is exquisitely summarised by Polanyi.....*We know more than we can say*. It provides much of the basis for our interactions with people and specific situations and is typically acquired through experience....*If you think education is expensive, try estimating the cost of ignorance*. [2510-2511](#)

Implicit [incidental learning](#) encourages a subliminal or reactive engagement of assumptions, values and knowledge through situated learning. [Experiential learning](#) occurs through its interface with concepts and visual representations and is the difference between [conscious competence and unconscious competence](#). The theory of [situated learning](#) extends beyond constrained endogenous processes. It establishes a trajectory, which encompasses the contextual issues embedded within the physical environment of a particular community and is an integral and inseparable aspect of social practice. Informal learning is an important part of [situated learning](#), which is a cumulative social process underpinned by expert knowledge and skills. These are acquired from shared experiences within the workplace, community or immediate family. [2512-2515](#)

Domain specific knowledge is necessary for the development of expertise and it becomes embedded in practice and is transformed via [goal oriented behaviour](#). Its neophytes or novices become part of a [community of practice](#) and gradually move from the periphery towards full participation and involvement. The participants eventually become facilitators and the [community of practice](#) creates its own common sense or [collective coherence](#). It engages learning through trust, interactivity and conversations, which reinforce that relationships are the foundation of accomplishment. [2516-2519](#)

The use of [simulated](#) and [experiential learning](#) has been a commonly accepted practice in education for many decades. It is recognised by some organisations as a critical process to inspire learning and trigger organisational and personal development. It promotes the concept of virtual reality via simulated activities to generate real learning. The activity must align with the developmental requirements or learning maturity of its participants, which will stimulate motivation and encourage involvement. [2520-2521](#)

[Experiential learning](#) should value the input of contributors and the process must be versatile and flexible to accommodate the experience of its participants. The simulated activities must empower individuals to accept responsibility, develop problem solving skills and discover techniques to succeed. The trainer adopts a different role and merely becomes a facilitator, which does not require presenting information, telling, indoctrination or teaching. Students are no longer passive sponges that merely absorb data but enthusiastically participate in the process and actively contribute to their own learning and education. [2522-2524](#)

Learning essentials

Learning disabilities are tragic in children but they are fatal within organisations. Indeed, most corporations fail to live half as long as a person and many die before reaching forty. There is ample evidence for executives that a catastrophic incident can curtail even this brief existence..... *The proud peacock of today may be only a feather duster tomorrow.* [2525-2527](#)

Effective learners must perceive information, reflect on its impact, compare how it aligns with individual experiences and consider how the acquired knowledge provides alternative options or decisions. It is much more than seeing, hearing, moving or touching and rather an amalgam of what we sense and think with how we feel and behave. Without this combination we are merely dilatory participants in a [passive learning](#) process that fails to engage our superior cognitive processes. There can be no change, development or transition without the establishment of trusting relationships, which requires significant resources and skill with inspiration and support from a learning and dynamic social network. The rate people embrace change will be constrained unless its community appreciates an environment that generates trust, motivation, engagement, recognition, resilience and learning. A climate of acceptance and [respect](#) is fundamental for promoting a positive culture, where mistakes are acknowledged. This enables people to recuperate and learn without retribution. [2528-2529](#)

In large scale applications, culture follows structure, which provides people with a degree of certainty, security and meaning. It must also demonstrate via the organisation's methodology that its people are supported, inspired, admired and acclaimed. Organisations which disrespect or disenfranchise its employees and restrict freedom or choice are essentially demotivating and often intimidating. The essence of change requires inclination and a proclivity to learn. It must be supported by a measurable recognition and reward process and accompanied by suitable methodology and engagement techniques. This requires an acknowledgement of contribution and tolerance irrespective of the circumstances, tradition and past performance. People support what they create and without any personal benefit, change will encounter resistance. It will be ineffective unless the change agent has the ability to drive and direct transformation and employees have the inclination, capability and capacity to learn..... *Tell me and I forget, teach me and I may remember, involve me and I learn.* [2530-2532](#)

Legitimacy of occupational health and safety

Daily prestart meetings on most projects have degenerated into a liturgy of ontological [sanguma](#). This atavistic ritual is reinforced by paramilitary safety zealots proselytising and beseeching employees to behave safely via melismatic [Znamenny chants](#). It is usually complemented by a heads, shoulders, knees and toes [calisthenics](#) nostrum guided by internally accredited practitioners following a [fatwa](#) to eliminate musculoskeletal disorders. However, this disregards statutory requirements covering consultation, risk management and the hierarchy of controls and subliminally blames the victim. This is exacerbated by egregious safety crusaders patrolling sites like neurotic [Tonton Macoutes](#) armed with digital cameras, [behavioural safety](#) check lists and electronic hazard identification sheets to target unsafe acts and conditions. It has created a vicious gotcha culture underpinned by [cognitive dissonance](#), blame and fear with the emergence of an unnecessary and somewhat predictable [Kafkaesque](#) bureaucratic email war. Many of these administrative tools, especially [behavioural safety](#) checklists, use pejorative descriptors such as line of fire, eyes on path and eyes on task. Qualitative irrational performance indicators generate misleading data and if you ask vague questions, expect ambiguous answers. [2533–2544](#)

This has opened a [Pandora's Box](#) and is cultivating widespread disdain. Unsafe acts and [negligence](#) are not synonymous, it is a legal paradigm and an industrial relations minefield. Moreover, it requires a careful understanding of [jurisprudence](#) and a discreet appreciation of the fundamental tests, which are used to establish the [tort of negligence](#). It is highly debatable whether such tactics are appropriate for general safety hazards. The application of similar methods to [operational](#) or [material](#) risks has resulted in several high profile disasters with catastrophic consequences. [2545-2549](#)

There are ample opportunities for improvement. Entrepreneurial consultants could reach out with sanctimonious offerings of chamomile tea, bamboo wind chimes, bees wax candles and patchouli oil incense burners with looped background renditions of Enya's tranquil Celtic music. This will reduce [psychosocial risks](#) to [as low as reasonably practicable](#) and discharge ethical responsibilities in the unremitting quest for [zero harm](#). A research report could even be submitted for a [Cochrane systematic review](#) and meta-analysis. The regulators and shareholders would be most impressed.....and pigs might fly. [2550–2556](#)

Aspirational terminology such as [zero harm](#) or all accidents are preventable is more suited to scientism and occasionally appears in [neurolinguistic programming](#) or fuzzy [soft systems change management](#) processes. It is incongruous with [risk and energy damage theory](#) and such didactic language must be used sparingly and with extreme caution. A more appropriate description of the discipline when resorting to fundamentalist flavour of the month regimes would be Facebook Safety™, [bullshit bingo](#) or safety damagement. The repercussions, which include workplace injury, illness, disease and escalating psychosocial issues are anything but.....*Kind of cool, reaching out, excellent or awesome if you like mate.* [2557-2563](#)

Recent independent reviews of United Kingdom [health and safety legislation](#) triggered controversial comments from [David Cameron](#). He pledged to destroy the health and safety monster and claimed it was an albatross around the neck of British businesses. These sentiments are reflected by several other [neoliberal](#) acolytes, including [Campbell Newman](#) and [Tony Abbott](#) in Australia and [Stephen Harper](#), a lobbyist for chrysotile asbestos in Canada. Cohorts of intimidating evangelical safety crusaders from the tattoos to teeth ratio brigade, with jewellery protruding out of every orifice, have inadvertently and somewhat significantly contributed to their cause and shredded any remaining integrity. [2564-2574](#)

Project activities include monotonous routine inspections and internal audits, which are generally symbolic and often disclose only minor noncompliance with administrative arrangements and standard operating procedures. It is exaggerated by perfunctory safety observations with a profligate attempt to measure behaviour not actions. This places an unwarranted focus on insignificant issues to fulfil key performance indicators. It does not add value or target the source and conveniently diverts attention from [operational risks](#), which avoids rocking the boat and disrupting production. [2575-2582](#)

This was evident during the Queensland parliament coal workers' pneumoconiosis inquiry covering excessive exposure to [respirable coal dust](#) and [crystalline silica](#). An extraordinary focus on compliance and enforcement has permeated the entire resources sector and generated blame and fear. This malaise with its profound American influence was extremely noticeable with [Bechtel](#) and its rigid, militaristic and adversarial regime on [Curtis Island](#) near Gladstone. It created pettifogging with an inordinate emphasis on hard hat safety at the expense of [process safety](#). Indeed, many safety crusaders are unable to articulate the difference between general industrial safety hazards and material or [operational risk](#). [2583-2587](#)

The futility of repetitive inspections is reified by Deming's classic [red beads experiment](#) and reiterated in the [principles for transformation of management](#). The emphasis must focus upstream at the source with better design to reduce risk and complexity. This aligns with the intent of the current [Safe Work Australia strategy](#), business excellence processes and [Gibson's ecopsychology principles](#) and [affordance theory](#). Nevertheless, many careerist zombies, hapless bedwetters and solipsistic evangelical safety crusaders cruise down the slippery slope to [zero harm](#), blissfully unaware with their eyes wide shut. The alleged profession is imploding and self-destructing, much like [Shelley's](#) notorious [Victor Frankenstein](#). It has lost its legitimacy and to reiterate the late British philosopher [Bertrand Russell](#).....*All movements go too far*. The dilemma is captured by the iconic progressive rock band, [The Moody Blues](#) with their 1970s classic album *A Question of Balance*. Its sleeve features a pensive [Albert Einstein](#).....*But in the grey of the morning my mind becomes confused between the dead and the sleeping and the road that I must choose*. ²⁵⁸⁸⁻²⁶⁰⁶

In August 2011, one major organisation used an independent consultant to provide safety advisors at its [Windibri](#) and [Kenya](#) gas processing plants near [Chinchilla](#). A task was allocated to a young safety graduate, which required documenting a risk assessment covering the use of [Glen 20 sanitiser](#). It specifically involved using minor quantities of a commercially available household disinfectant spray to clean dining tables in a warehouse crib room. An invoice for \$10000 covering this displacement activity was submitted for payment and promptly authorised whilst its triviality and value went unchallenged. On the same project contractors were engaged for maintenance work on a [triethylene glycol](#) distillation column. This involved [working at height](#) at a remote field compressor station using an [elevating work platform](#) when smoke began billowing from beneath its engine cowl. The fire was quickly extinguished but attempts to initiate emergency response from the central processing control room were ineffective. It was unattended and operators had left the site for a corporate town hall meeting in [Chinchilla](#). The investigation was restrained and questions regarding integrated safe systems of work were met with some bewilderment. The fire occurred in an electrically classified [hazardous area](#) but was not recorded as a [high potential incident](#). There is no record of the event on [regulatory authority](#) or [industry association](#) websites and no safety alerts were issued. A noticeable feature in the immediate environs was the discarded cigarette butts outside the site office where [permits to work](#) were issued. ²⁶⁰⁷⁻²⁶¹⁰

During November 2011 at another nearby facility a scheduled shutdown was required for inspection and testing of pressure safety valves on its central processing plant. The planning was conducted with military precision and permits to work were issued for specific tasks. The activity began at sunrise and involved depressurising the network. The shutdown team verified isolation of equipment and obtained their permits accordingly. Residual natural gas was discharged directly to atmosphere via the compressor vents as the work crew waited on the control room concourse. [2611-2613](#)

Clouds of methane dispersed above the processing plant and shrouded its perimeter floodlights, which had not been electrically isolated. A maintenance electrician confirmed condensation had been observed inside several floodlight housings but was unable to verify their flameproof rating or intrinsic safety [design features](#). Further discussions with operators confirmed emergency sirens and strobe lights for the plant were inoperative. The equipment had been mechanically mounted and was awaiting electrical installation and no evacuation drills had been performed since the plant was commissioned. After depressurising, the activity proceeded in accordance with the shutdown schedule and the processing plant and its network resumed normal operations. [2614-2616](#)

A [lessons learned](#) meeting was scheduled the following day to discuss the shutdown and evaluate opportunities for improvement. Several issues were raised and included venting residual natural gas directly to the atmosphere, which breached statutory requirements. This was the only option available as the facility was not equipped with a flare to burn surplus methane. The plant's flame and fire protection system was isolated during the shutdown but the organisation's insurance company was not notified. The defective emergency response warning alarms and failure to isolate perimeter floodlights were conveniently disregarded. [Regulatory authorities](#) were not notified of any [high potential incidents](#) and no incident reports were documented or safety alerts issued. [2617-2619](#)

The entire project's chequered history began somewhat controversially with contentious [environmental approvals](#) and it was essentially a [race to the bottom](#). In September 2009, a contractor was struck by flying fragments from an [exploding gas sampling filter](#) and received a broken leg. The [BG Group](#) and [QGC](#) merger eventually ended in a trail of tears and the organisation was recently acquired by [Royal Dutch Shell](#). A significant focus on compliance, enforcement and pettifogging remains. [2620-2623](#)

An obsolete gas processing plant at [Silver Springs](#) near [St George](#) in Queensland was acquired by [AGL Energy](#) from [Mosaic Oil](#) in 2011. It was converted into a gas reinjection and underground storage facility to provide additional capacity during commissioning activities for major coal seam gas projects. This required extensive refurbishment and much like many of the coal seam gas projects there was an inordinate focus on compliance and enforcement. It placed an extraordinary emphasis on lower order controls. The accommodation camp kitchen was equipped with a gas cooking range that had been illegally connected to the [unodourised](#) gas supply from the processing plant for many years. It was considered an acceptable risk during the revamp but any noncompliance with site personal protective equipment requirements attracted disciplinary action. The safety strategy was underpinned by [accident theory](#) with its adversarial and absolute axioms, which included life-saving rules, [zero harm](#) and all accidents are preventable. Its focus on leadership accentuated the traditional Batman hero worship paradigm. During my tenure I received sad news from overseas that my mother had passed away aged 98 years. I arrived at work that morning and booked return international flights during my lunch break to attend the funeral service the following week. [2624-2628](#)

The response from an inarticulate mercenary redneck safety manager demonstrated anything but leadership and humanitarian traits such as [respect](#) or compassion were disparaged. The most immediate concern was how much compassionate leave would be required and any skerrick of sympathy lay somewhere between shit and syphilis in its corporate glossary. Its upstream gas executive who recently retired, displayed the didactic hubris of a [Harvard Business School](#) graduate with the socially autistic demeanour of a [West Point](#) military academy martinet. The organisation significantly underestimated the [Hunter Valley](#) community expectations and the dogged resilience of its residents...*Never believe that a few caring people can't change the world. For, indeed, that's all who ever have.* AGL Energy has since divested its coal seam gas interests in the region....*Since leaders are no longer equated with being superior, followers should no longer be equated with being subordinate.* [2629-2633](#)

In November 2012 construction of water treatment facilities commenced in the western development area of the Australia Pacific LNG project at its [Reedy Creek](#) site. Initial activities involved early earthworks using a prequalified principal contractor and subcontractors. Following several indoctrinating inductions, I went for a short stroll along the common access road towards the project construction site. [2634](#)

I was equipped with mandatory personal protective equipment and carried a two-way radio and mobile phone. It created absolute mayhem and panic with hysterical chatter over the airwaves. The project's senior safety crusader was extremely concerned that I may be bitten by a brown snake or attacked by [bunyips](#) and a vehicle was despatched and returned me to the project office. Maybe I required a safe work method statement, job safety analysis or a permit to work and walking frame to eliminate the risk or secure my safety. [2635-2637](#)

The following day, inspections on elevating work platforms, compressors, generators and water pumps around the site confirmed daily preoperational checks had been documented. However, quarterly and annual mechanical inspections were overdue or not recorded in the equipment log books. Further inquiries regarding [powered mobile plant](#) premobilisation protocols and record keeping requirements were met with obfuscation. [2638](#)

This response prompted an audit of [powered mobile plant](#), generators and compressors across the site. The principal contractor's project manager reacted somewhat deceitfully and attempted to circumvent the process. An email instructed the powered mobile plant coordinator to affix out of service tags to any noncompliant equipment before the audit commenced. Several weeks later another elevating work platform was discovered at a site lay down area and its quarterly mechanical inspection was several months overdue. An out of service tag was immediately affixed to the equipment and the log book presented to the project safety manager. An additional inspection several days later confirmed the log book had been updated. However, the absence of any tyre tracks in the laydown area indicated the equipment had never moved. [2639](#)

During early earthworks malfunctioning powered mobile plant often required troubleshooting and maintenance. A subcontractor was engaged and provided a mobile workshop for roving inspections and field repairs. It was equipped with an oxy-acetylene welding kit in the back of an enclosed vehicle and no [hot work permits](#) were ever issued for specific activities. The response from the principal contractor was somewhat nonchalant but noncompliance with personal protective equipment requirements attracted disciplinary action. Several months later an overhead awning with shade cloth was installed above freight containers in a laydown yard. It involved welding and the contents of a freight container caught fire resulting in extensive asset damage. No hot work permit was issued and the container was not even inspected before the [welding](#) commenced. [2640-2641](#)

Freight containers at remote field workshops were frequently used for the [storage of surplus equipment](#), chemicals, redundant forklift batteries and tyres, compressed gas cylinders, spare fuel supplies and even bed mattresses. Many have inadequate ventilation and the plywood floors are often contaminated with spilled diesel or petrol. A scorching hot summer day with an unsupervised apprentice mechanic smoking a cigarette is all it takes. These issues were raised with the principal contractor's senior safety coordinator and the response generated further obfuscation. Despite the corporate rhetoric, individuals who report or elevate significant risks are invariably ostracised and despatched to the project's transit lounge. Many are usually categorised as troublemakers or whistle blowers and constructively dismissed.....*If you are not prepared to resign or be fired for what you believe in, then you are not a worker, let alone a professional. You are a slave.* [2642-2644](#)

Some weeks later the principal contractor's senior safety coordinator, an avowed acolyte of [behavioural safety](#), required emergency treatment for stomach pains at the project medical centre. The individual was evacuated from site with suspected gall stones and was smoking whilst attached to a drip and walking from the medical centre to an awaiting ambulance. A contemptuous disregard for your own health often mirrors your consideration for the welfare of others. Meanwhile, the principal contractor's parent company was embroiled in controversial allegations of entrenched corruption. It responded by changing its name and management to disguise the unenviable stigma but has seemingly failed to mend its ways. [2645-2646](#)

Personal experience and discussions with colleagues across the resources sector confirms these are not isolated incidents and the malaise is systemic. It reinforces that industrial health and safety risk is indeed a [wicked problem](#). Single dimension technical solutions often prove ineffective and usually amplify complexity. The legal and financial consequences are shameful but pale into insignificance compared with the moral or social issues. This is reflected in the recent collapse of [Carillion](#), a British multinational facilities management and construction services company. The [race to the bottom](#) is nasty, brutal and usually on credit and much like professional sport, it is war minus the shooting. It is exacerbated by absolute ideologies such as all accidents are preventable and [zero harm](#). The [doublethink](#) cultivates cynicism, extirpates learning and destroys the legitimacy and credibility of occupational and health and safety. [2647-2650](#)

Dismal science

Despite its professional status economics is disparagingly termed the [dismal science](#). Its practitioners often struggle to articulate its complexity and it is frequently categorised as a pseudoscience or besmirched as scientism. Economists have developed enigmatic concepts such as [gross domestic product](#) and several algorithms that establish a tenuous relationship between [supply and demand](#). This creates a scientific illusion or chimera, which was spectacularly shattered following the [global financial crisis](#) and confirmed the stock market is nothing more than a glorified casino with about as much integrity as greyhound racing. A valid test for any subject to be classified as a science lies in its ability to predict future events and not simply explain the past. [2651-2653](#)

[Newtonian physics](#) laid the foundations for modern science and [quantum mechanics](#) successfully predicts the behaviour of subatomic particles. Economics is bereft of such scientific exploits and its practitioners are often accused of charlatanism and purveying snake oil. Physical science also has its detractors and deception is easily disguised via a barrage of equations and often remains unchallenged even though a controlled experiment is a fallacy. Scientism is increasingly common throughout the social sciences and transfuses into industrial safety with a relentless pursuit for the philosopher's stone to resolve its many trials and tribulations. [Accident theory](#) and ideologies such as [zero harm](#) or cause effect analysis merely compound the problem. Its inordinate focus on recordable [injury frequency rates](#), is no better than a form guide at the Flemington races spring carnival. [2655-2658](#)

Industrial safety, much like economics, is particularly vulnerable to scientism and like many human activity systems it is susceptible to an increased propensity for approximation. Human beings are complex creatures and not extensions of machines or the sum of a system's inputs and outputs. [Decision making](#), particularly under a cloud of uncertainty or complexity, is anything but rational and more often emotional or even arational. However, it is not entirely ontological sorcery and its epistemological or quantitative risk analysis approaches cannot be summarily dismissed. There are many exogenous and endogenous biases, which significantly influence emotions and perceptions and rational or objective techniques do provide some beneficial balance. The development of safety as a science will broaden the repertory of scientific methods and reinforce its foundations to restore its tattered legitimacy and integrity and expose many of the snake oil charlatans. [2659-2661](#)

Keystone science

Since the early 1970s the holy trinity of [democracy](#) with its fundamental tenets of liberty, equality and fraternity has been aggressively eroded and usurped by a [new world order](#) with a repressive focus on deregulation, diminution and privatisation. In more recent years this emasculation has been expedited via [big data](#), [artificial intelligence](#), [machine learning](#) and supra surveillance. It enables a [vulture culture](#) of casino capitalists to strip the remnants of rotten flesh from the dead carcass of neoliberalism to maximise profit and socialise loss under the manifestation of [austerity](#) with an otiose pursuit of perfection. The [positivism](#) or [scientism](#) with its repetitive and futile attempts to [square the circle](#) extirpates collectivism, [communities of practice](#) and destroys [incidental learning](#). This [objectivism](#) with its dehumanising approach intensifies individualism and has created a sinister resurgence of atavistic accident theory. It is exacerbated by binary judgement and fundamentalist ideologies such as zero harm with a myopic focus on rational decision making and black box behaviourist psychology, which ultimately blames the victim.....*Forget your perfect offering, there is a crack in everything that's how the light gets in.* [2662-2673](#)

A recent world inequality [report](#) recognises that escalating [disparity](#) is generating political, social and economic turmoil. This erodes self-esteem and dignity with significantly escalating [deaths of despair](#) from homicide or suicide, which includes chronic alcohol abuse and drug overdoses. It has triggered countless premature deaths and created a rising mortality rate and psychosocial disorders amongst the [lumpenproletariat](#). Modern nations, corporations, hierarchies and industrial civilisation do not serve health and safety effectively. Its dour [Taylorism](#) and [binary mentality](#) preordains the [blame](#) dichotomy. This generates increasing conflict, adversarial legislation and insufferable bureaucracy with an inevitable quest for a subordinate scapegoat, which merely fans the flames on the carousel of culpability. A sophisticated [ecoliterate](#) vision is required that recognises interdependency of endogenous and exogenous factors and symbiotic relationships. It offers a prudent and ecologically sustainable alternative to current economic models, which are merely a gigantic festering [Ponzi](#) scheme. This is compounded by [pyramid selling](#) and aggressive telemarketing with unreasonable expectations of quantitative exponential growth and antagonistic consequences of [anomie](#) and despair are inevitable during the foreseeable catastrophic meltdown. [2674-2684](#)

Growth is a fundamental characteristic of life and any society or economy that fails to develop is destined for premature extinction. Natural growth is never linear and an inchoate [ecosystem](#) propagates according to its stage of development. The organisms initially experience rapid expansion with colonisation of the territory followed by truncation, maturity, decline, decay and succession, whereby elements are released for restoration to rejuvenate the ecosystem. It is a [qualitative process](#), which enriches existence and contrasts with the conventional economic structure of unrestrained quantitative growth fuelled by rampant unfettered neoliberalism and its chimera of trickle-down economics. [2685-2686](#)

Qualitative growth aligns with a [systemic](#) view of life, which advocates ecological sustainability via iterative and interdependent processes. This recognises [patterns](#) of relationships and [emergent](#) properties. It embraces a multifaceted concept of quality that integrates objective quantitative components and subjective qualitative elements. Human activity systems including economies, societies, ecosystems and corresponding issues such as safety, health, welfare and [security](#) are quite complex. They cannot be simply reduced and evaluated sufficiently using a fiscal coefficient such as [gross domestic product](#) or a discrete variable of aggregated [lost time injuries](#). Quantities such as mass or energy can be measured and the whole is equal to the sum of its components. However, emergent properties such as health, contentment, stress or creativity, which arise from processes and interdependent relationships are often synergistic or antagonistic and should be mapped. Indeed, if growth is determined solely via a narrow fiscal paradigm, sustainable development merely becomes a fallacy. [2687-2692](#)

[Ecoliteracy](#) embraces cultural, social, ethical and spiritual dimensions and the power of language, especially hermeneutics and the enchantment of poetics can never be underestimated. Only a fool would dismiss the literary influences of [Shakespeare](#), [Montaigne](#), [Maupassant](#), [Wordsworth](#), [Frost](#) or [Auden](#). Transcending the solipsism of a bilious decadent culture is a collective struggle and requires pattern based leadership. Much like [democracy](#) it is a dynamic process and [wicked problem](#). It is not a static condition and is a becoming rather than being and easily lost but never really won. Foundations have been established by many [indigenous](#) cultures, which enables a functional ecocentric culture to flourish. This is reinforced by numerous notable academics including [Rachel Carson](#), [James Lovelock](#) and [Fritjof Capra](#). It also aligns with the concepts of [transdisciplinarity](#) and [social sense making](#)..... *Two roads diverged in a yellow wood.* [2693-2707](#)

The road not taken - Robert Frost

<https://www.poetryfoundation.org/poems/44272/the-road-not-taken>

Two roads diverged in a yellow wood,
And sorry I could not travel both
And be one traveler, long I stood
And looked down one as far as I could
To where it bent in the undergrowth;

Then took the other, as just as fair,
And having perhaps the better claim,
Because it was grassy and wanted wear;
Though as for that the passing there
Had worn them really about the same,

And both that morning equally lay
In leaves no step had trodden black.
Oh, I kept the first for another day!
Yet knowing how way leads on to way,
I doubted if I should ever come back.

I shall be telling this with a sigh
Somewhere ages and ages hence:
Two roads diverged in a wood, and I—
I took the one less traveled by,
And that has made all the difference.

Poetry is when an emotion has found its thought and the thought has found words

Robert Frost

Occupational health and safety management systems

We shape our buildings; thereafter they shape us

Winston Churchill ²⁷⁰⁸

During the 1980s Australian industry embraced the concept of total quality management, which was based on the [Deming](#) plan do check act cycle. This progressed into quality assurance with the development of business improvement processes. It coincided with an extensive review of New South Wales occupational health and safety legislation during the late 1990s. The subsequent [McCallum](#) report and recommendations advocated a systematic and consultative risk management approach using a performance based regime. ²⁷⁰⁹⁻²⁷¹²

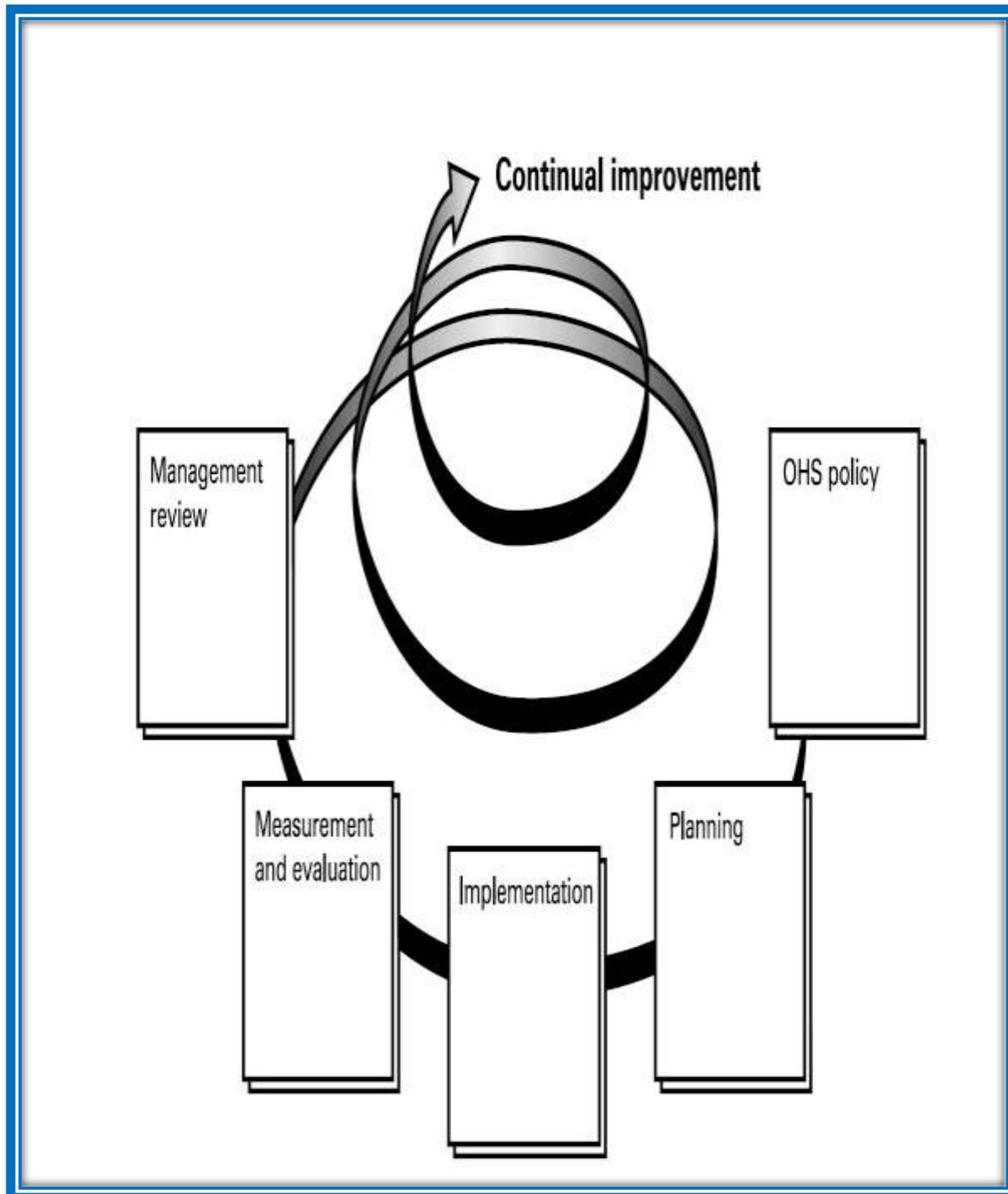
Safety management systems emerged, which aligned with quality and environmental management standards and [Figure 11](#) provides details of the principal elements. More recent developments include an internationally recognised standard. ²⁷¹³⁻²⁷²⁰

A [safety management system](#) is best viewed as an organising framework that provides effective direction to coordinate health and safety activities in response to incipient endogenous and exogenous risks. It should define objectives and targets, which align with policy requirements and incorporate a robust continuous improvement process to resolve inconsistencies. This provides organisations with a corporate memory and an ability to learn from its mistakes. It also allows systems to be independently audited and certified. ²⁷²¹⁻²⁷²⁵

Commitment and policy

An occupational health and safety policy is a statement of commitment and intent using principles which reflect the organisation's approach to work health and safety. It provides a framework for action with the establishment of suitable objectives and targets. The policy is a principal element of the safety management system and reflects the organisation's overall strategy. It must reinforce management commitment and be countersigned by the most senior executive in the organisation. Policy development must encompass vertical and lateral communication with effective consultation amongst employees throughout every structural level of the organisation. Executives and senior managers must demonstrate leadership with [respect](#) and [humility](#) and it is critical their actions reflect and align with the policy and its objectives. The policy must be regularly reviewed to guarantee its sustainability or it will be condemned to ineffective obsolescence. ²⁷²⁶⁻²⁷³⁰

Figure 11: Occupational health and safety management system elements



Standards Australia AS/NZS 4804:2001

(Occupational health and safety management systems – General guidelines on principles, systems and supporting techniques)

Planning

Failing to plan is planning to fail and perfect planning prevents piss poor performance. These aphorisms, irrespective of the code or discipline, are drilled into every elite professional. It holds even more significance with health and safety because unintended adverse consequences may involve burying the victims. The organisation must plan to fulfil its policy, objectives and targets with an upstream emphasis on prevention through better design to reduce risk and complexity. The standard of controls must be proportional to the likely worst consequence and the safety management system must align with other business systems and processes. This increases flexibility and expedites response to changing demands to ensure a superior safety performance. [2731-2732](#)

Relationships are the foundation of accomplishment and consultation is mandatory across every structural level of the organisation. This must involve employees who are exposed to risks at the coalface because people inevitably support what they create. It should address operational risks that arise from the unique circumstances or conditions pertaining to its specific activities. This is critical with exposure to health risks, such as [asbestos](#), [respirable coal dust](#) and [crystalline silica](#), where symptoms are often dormant and usually manifest following prolonged exposure. The planning process consists of an initial review and gap analysis against legislative requirements to identify inconsistencies, establish a risk profile and determine the standard of controls and resolution of any anomalies. It should also consider contractor management protocols and contingency arrangements for emergency response, critical incident recovery and business continuity. [2733-2741](#)

Safety management plans must define functional responsibility and accountability and determine how prescribed objectives and targets will be achieved. The objectives are the overall goals covering safety management and allow organisations to measure performance against defined targets. These must be specific, measurable, achievable and realistic and time bound. Objectives and targets must be regularly revised in consultation with employees to remain relevant and align with the organisation's dynamic risk profile. These must be supplemented by active and reactive performance indicators, which focus on upstream inputs and downstream outputs to measure the overall achievements of its safety management system. [2742-2743](#)

Implementation

Effective implementation involves provision of capabilities and support mechanisms to reflect and align with the policy and meet its defined objectives and targets. The organisation must ensure it has sufficient capability to implement requirements and provide suitable human, physical and financial resources. It should be integrated with existing business systems and processes, which define functional responsibility and accountability. This reduces complexity and avoids unnecessary duplication of activities. [2744-2748](#)

Extensive consultation, participation and cooperation with employees is required across the entire organisational structure. Change imposed often degenerates into change opposed through ineffective communication and people will invariably support what they create. A training needs analysis is essential to establish competency requirements, which must meet statutory obligations and align with the risk profile. The training program should address the health and safety policy, risk management processes and include arrangements for emergency response and first aid. Competency requirements should be proportional to the level of involvement with specific activities. The management system must include details covering supply of goods and services, including the use of contractors. Contracts must detail precise health and safety requirements for the provision of labour and define specification criteria for supply of materials and equipment. [2749-2752](#)

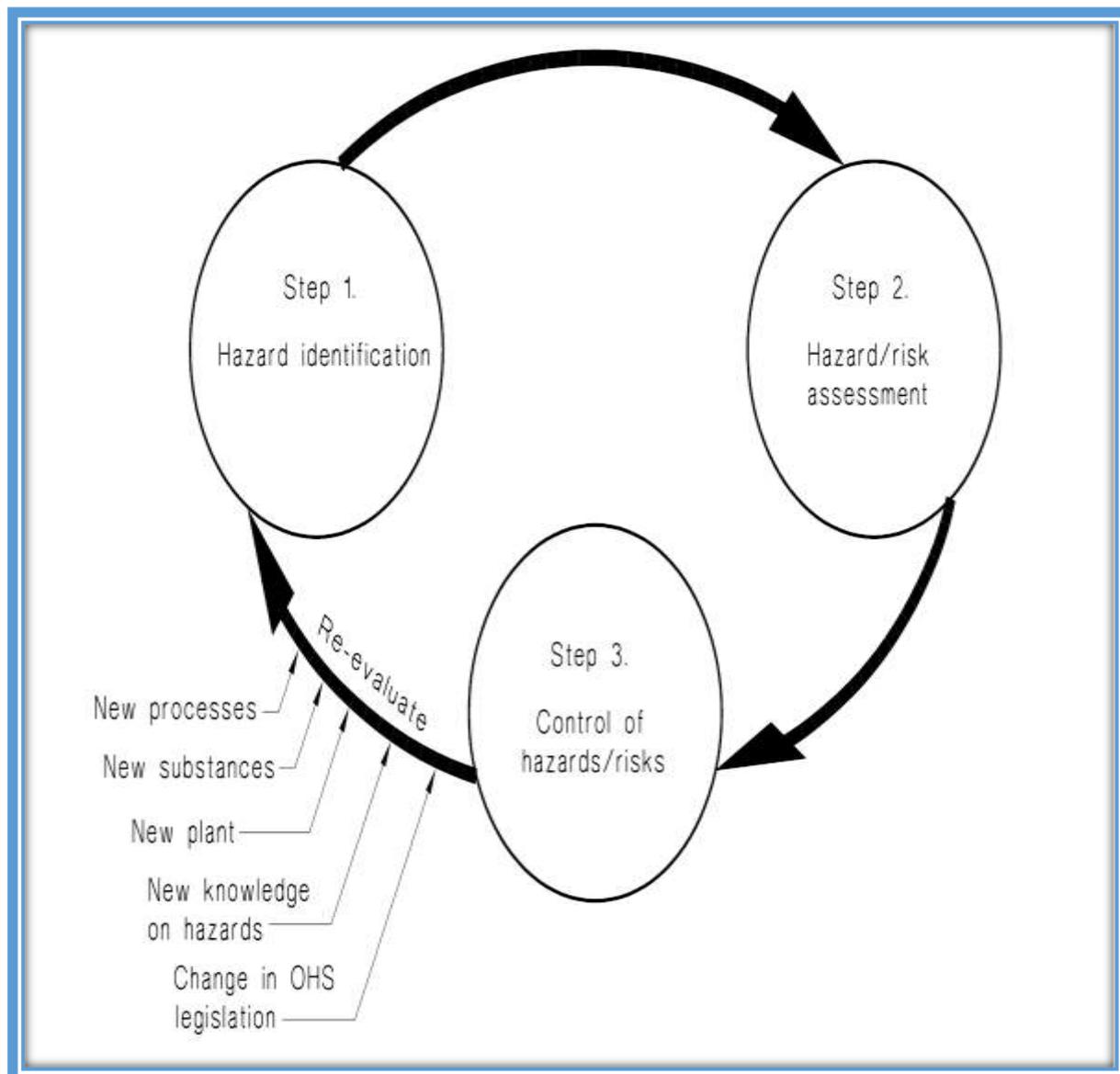
Ensuring capability will require support action, which involves effective consultation and communication protocols. The best form of communication is face to face via the immediate supervisor and the topic must be meaningful and relevant to the working environment. In situations where this is impractical teleconferencing and an extensive range of electronic media can be used for the distribution of relevant information. However, data transmission must not be confused with communication, which involves listening with the proportional use of two ears and one mouth. Documentation must be authorised as required, customised to reduce bureaucracy and remain current. Record keeping must meet statutory requirements, especially when health surveillance and access to confidential medical records is required. This raised significant concern during the Queensland [coal workers' pneumoconiosis](#) parliamentary inquiry following disclosures that personal medical records and X-rays were stacked in a remote freight container or bunged into a janitor's broom cupboard. [2753-2757](#)

Hazards pertaining to operational activities must be identified and controls implemented to eliminate or reduce the risks. However there are no explicit or consistent hazard management principles within safety management system standards. Most approaches consist of capricious subjective techniques using checklists and other rudimentary intuitive processes. This is compounded by risk estimation using the putative risk matrix, which is an idiosyncratic qualitative tool. It attempts to shoe horn emotional laden thought into a coherent [decision making](#) process and curtails discernment. ²⁷⁵⁸⁻²⁷⁶¹

Hazard identification and risk management is an iterative process, which is summarised in [Figure 12](#) and risks must be reduced using effective controls that are proportional to the likely worst consequence. These must focus upstream at the source with an emphasis on better design to reduce risk and complexity. This is accomplished using the hierarchy of controls and requisite variety and it must target operational or material risk. The process should cover purchasing and supply of goods or services and use of contract labour hire. Companies must ensure that procedures are developed for engagement of contractors who perform activities on behalf of the organisation whilst using its premises, equipment and other assets. The selection of contractors should be based on merit and their ability to complete the scope of works in a professional manner. Major contractors should hold [independent certification](#) to a recognised safety management system standard and provide evidence of surveillance audits from a registered [conformity assessment body](#) to verify their integrity. ²⁷⁶²⁻²⁷⁶⁶

The [safety management system](#) adopts a preventive approach and focuses predominantly upstream. However, if the response to unplanned events is delayed or uncoordinated the consequences can be catastrophic. This was evident in several high profile disasters including [Aberfan](#), [Piper Alpha](#), [Hillsborough](#) and [Deepwater Horizon](#). The terms of reference for the [Grenfell Tower](#) inquiry include contingency arrangements and performance of statutory authorities following the fire. This reinforces requirements for effective emergency response and evacuation plans, which must be regularly rehearsed in conjunction with emergency services. Critical incident recovery plans detailing first aid, rehabilitation, counselling and pastoral care arrangements are also required to expedite return to work and reduce [psychosocial risks](#). These should be supplemented by [business continuity plans](#) to provide a coordinated response and prompt return to normal operations. ²⁷⁶⁷⁻²⁷⁷¹

Figure 12: Hazard identification, risk assessment and control process



Standards Australia AS/NZS 4804:2001

(Occupational health and safety management systems – General guidelines on principles, systems and supporting techniques; p. 26)

Measurement and evaluation

Organisations must measure, monitor and evaluate health and safety performance and take preventive and corrective action as required. This will determine the effectiveness of current arrangements in meeting defined objectives and targets pertaining to the health and safety policy. This is accomplished using an extensive range of positive and negative performance metrics. Positive or active indicators target upstream on system inputs and negative or reactive indicators focus downstream on its outputs. Measurement and evaluation includes regular inspection, testing and monitoring and the risk profile should determine the frequency of these activities. This should be performed by competent personnel using calibrated equipment. However, inspection does not improve or guarantee quality and controls such as gas testing, dust sampling, noise dosimetry and health surveillance are essentially reactive processes..... *You cannot inspect quality into a product.* The emphasis must move upstream and target design to reduce risk and complexity. [2772-2776](#)

Audits of the [safety management system](#) should be conducted at regular intervals to measure its effectiveness. These may be internal or independent external surveillance audits performed by competent personnel using a standardised process and defined specification criteria to ensure consistency. The audit frequency should be determined from previous performances and the risk profile, which requires evaluation during the management review process. Following inspections and audits, non-conformances and recommended preventive and corrective actions should be documented and implemented in accordance with defined target dates. [2777-2780](#)

Investigations are often required following work health and safety incidents and the scope depends on the actual and potential consequences. These should be performed using an independent team selected by senior management to avoid conflict of interest. The process must consider contributory factors, especially system performance with an emphasis on prevention and controlling the future. A quest for cause is blaming the past and provokes retribution. The corrective actions must focus on elimination of the hazard or reducing the associated risk using controls that are proportional to the likely worst consequence. This may require significant change and capital expenditure, which will involve consultation with senior management to review recommendations and approve resources. [2781-2783](#)

Review and continual improvement

The organisation must regularly review and continually improve its safety management system. This should include evaluation of endogenous and exogenous risks or it will be condemned to ineffective obsolescence. The review process must involve executive leaders and other nominated representatives from every level of the organisational structure. Its scope must include organisational activities, products or services and their impact on the health, safety and welfare of employees and contractors. [2784-2785](#)

The review should address the effectiveness of the health and safety policy and the suitability of its supplementary objectives and targets. This should include evaluation of internal and external audit reports to confirm recommendations have been implemented and verify the status of outstanding actions. It should also evaluate the impact of external risks, which may include changes to statutory legislation, client requirements and the availability of new technology. Continual improvement must focus on the process to align with the principles of operational excellence. This eliminates blame and a robust and stable discipline evolves, which places an emphasis on design to reduce complexity and risk. It also produces superior safety performance. [2786-2787](#)

Hard systems change management

The hard systems change management approach is an inorganic clockwork model with an over reliance on rational [decision making](#). It places an inordinate emphasis on audit and inspection processes rather than resolving workplace hazards. Indeed, many organisations have dispensed with certification due to audit fatigue and its excessive bureaucracy despite efforts to integrate systems. Moreover, there are no explicit hazard management principles within safety management system standards. [2788-2793](#)

Hard systems change management disregards the subjectivity of risk and the complexity of soft systems, which includes unitary, pluralist and coercive relationships. However, [safety management systems](#) do provide a formal framework and a recurring theme in organisational development is that in large scale applications culture follows structure. This aligns with business excellence processes and [Gibson's](#) ecopsychology principles and affordance theory. It also reflects one of [Churchill's](#) many maxims.....*We shape our buildings; thereafter they shape us.* [2794-2798](#)

Bureaucratic risk management

The only thing that saves us from the bureaucracy is its inefficiency

Eugene McCarthy ²⁷⁹⁹

Legislation prescribes requirements covering risk management and [high risk construction work](#) requires safe work method statements, which are often supplemented by safety management plans, emergency response plans, bridging documents and additional formulaic practices. These include a job safety analysis, task hazard analysis, take five processes, standard operating procedures, safe work instructions, picture process maps and an authority to work. Nominated tasks also require a permit to work and the entire ritual frequently degenerates into gridlock. This creates frustration and a ceremonial bureaucratic culture prevails. On one major coal seam gas project it was promoted as excellence in the basics in a pitiful and otiose attempt to demonstrate due diligence. [2800-2805](#)

Documentation becomes overly complex and is invariably written to protect the writer. It is produced using word processing software with its many decorative functions and describes only a limited resemblance to coalface activities. There are often significant variances and it creates a process perception paradox, which rather alarmingly cultivates a form over substance culture and further compromises legitimacy. [2806-2814](#)

Safety management plans

Legislation covering high risk construction work prescribes requirements for safety management plans, which are frequently documented by external safety consultants. The plan is often a bureaucratic boiler plate ledger, which offers ample content but is bereft of any process. It merely regurgitates statutory legislation in an alternative format and provides an insignificant degree of protection. Plans are often duplicated from a previous project with a completely different risk profile and the process merely involves changing the project name and logo, commencement date and identification number. A *War and Peace* tome is then submitted for approval in accordance with contractor prequalification protocols, which are a superficial administrative charade.....*The plan by its very length defends itself against the risk of being read.* The significant resources allocated to this bureaucratic displacement activity would be much better deployed upstream with a meaningful emphasis on design to reduce project risks and complexity. [2815-2818](#)

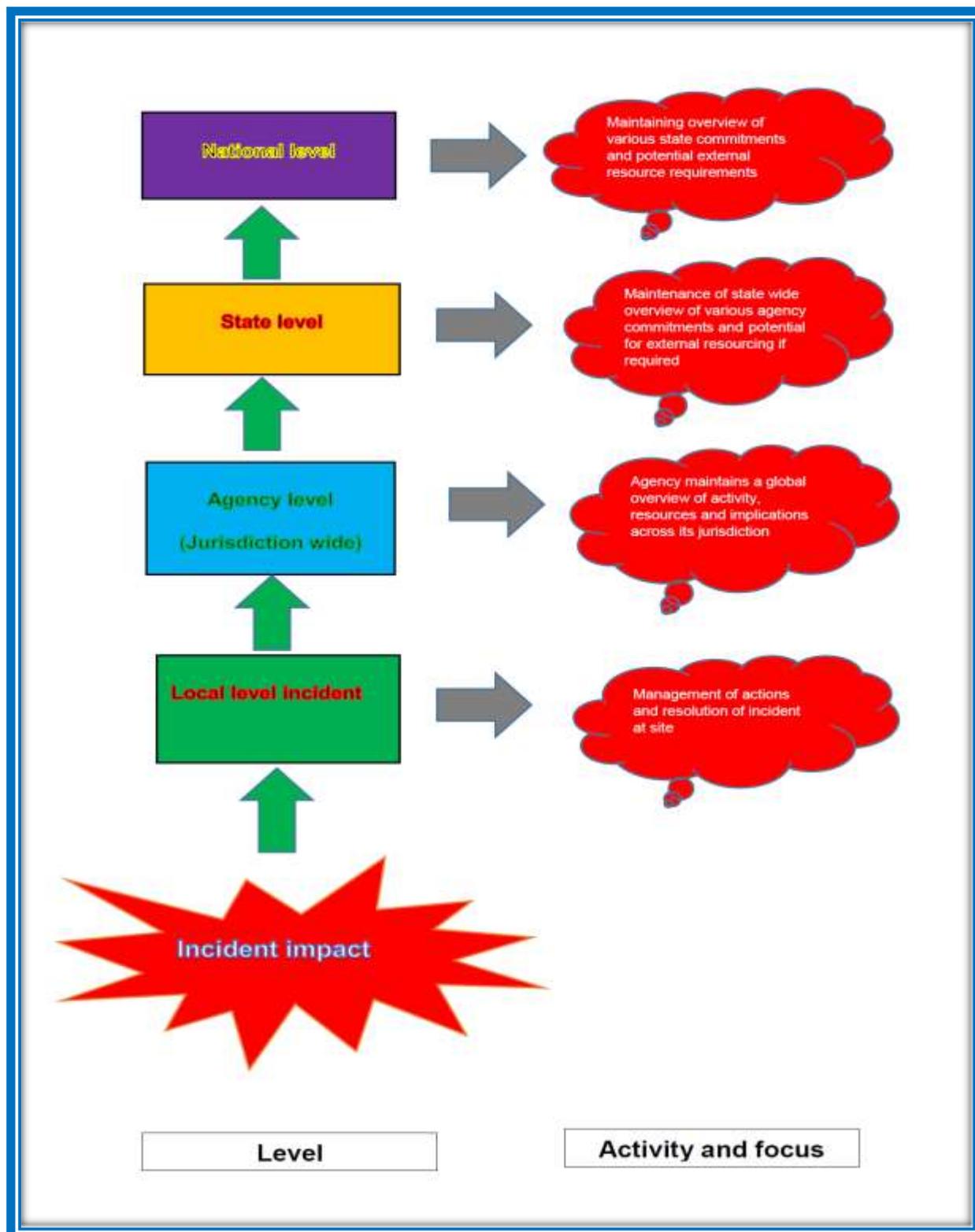
Emergency response plans

Legislation prescribes requirements covering implementation of emergency response plans. However, many evangelical safety crusaders are oblivious to the process leading to injury, damage or loss. This often manifests via an inordinate reactive focus on handling natural disasters or workplace serious incidents at the expense of upstream prevention and limiting consequences through better design. It generates additional documentation covering every conceivable event with overly bureaucratic procedures, which are invariably written to protect the writer in yet another feeble attempt to demonstrate due diligence. [2819-2820](#)

The [Australasian Inter-Services Incident Management System](#) is commonly used throughout the resources sector. Its robust process enables a seamless integration of activities and resources using multiple agencies for the resolution of emergency situations. This is often used for natural disasters and other large scale emergencies such as bushfires, floods, cyclones and earthquakes. It advocates a go big and early approach based on management by objectives, functional management and span of control. This covers four generic levels and the structure is scalable and adaptable to suit any emergency ([Figure 13](#)). However, site specific emergencies such as minor fires, bomb threats and civil disorder and are often handled using an [emergency control organisation](#) with a designated chief warden and emergency response plan ([Figure 14](#)). If the situation escalates it may require activation of critical incident recovery and business continuity plans with external assistance from inter-service agencies. This often involves the use of administrative bridging documents with additional communication protocols, which inevitably crash and impede or complicate the emergency response process. [2821-2823](#)

The documentation ossifies with invalid contact details, superseded response plans and obsolete roles and responsibilities. Duty officers are frequently appointed by proxy and often become sacrificial lambs during a public inquiry with its predictable quest for a scapegoat, which is merely a retrospective judgement of convenience. Many of these symptoms are repeatedly revealed after major disasters and the significant resources would be much better deployed upstream. It should focus on prevention through better design to reduce risk and complexity. This will inevitably arise during the Grenfell Tower [commission of inquiry](#) and appear in the subsequent report but who will listen, read and most importantly act. [2824-2828](#)

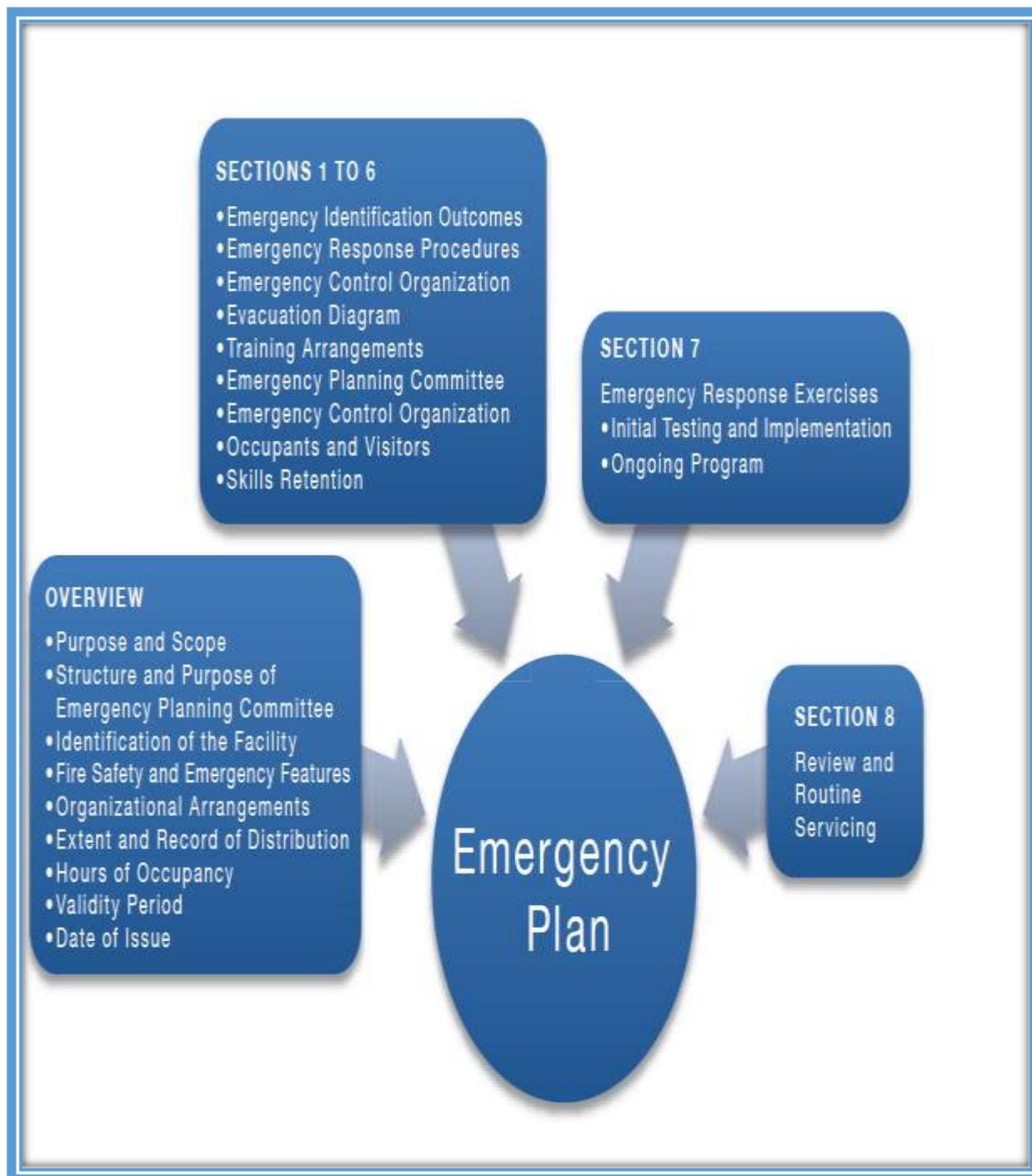
Figure 13: Emergency response levels of impact



Australasian Inter-Services Incident Management System

(3rd Edition Version 1 2004; p.6)

Figure 14: Emergency plan structure



Standards Australia AS3745 - 2010

(Planning for emergencies in facilities. Figure 3.1; p. 17)

Safe work method statements

The bureaucracy, unlike wealth in trickle-down economics, cascades right down to the coalface with legislative requirements covering [safe work method statements](#) for high risk construction work. It has created a bureaucratic monster with a perverse perception that safe work methods statements provide better protection than other risk management protocols. This is merely an axiomatic ritual using an idiosyncratic qualitative process. It has cultivated a form over substance ideology, which offers insignificant value and an extremely tenuous defence against due diligence. The [Kafkaesque](#) bureaucracy is unlimited and extends even further to include authority or permit to work processes and the use of standard operating procedures or safe work instructions. Other project activities, where the risks are considered less significant, require a job safety analysis, task hazard analysis or a take five process. Much of this effort is regrettably misplaced and the significant resources must be redirected upstream with an emphasis on better design to reduce project risks and complexity. [2829-2832](#)

Risk matrix

[Risk estimation](#) is determined using the putative consequence and probability two dimensional matrix. Contrary to popular belief, this is only a qualitative tool which uses numbers as labels. Its nominal categories precede the data with a profound impact on [decision making](#) and the process has degenerated into an aesthetic and futile administrative convenience. It disguises the significant variable of exposure and does not reflect the typical inverse logarithmic relationship between frequency and consequence value. [2833-2839](#)

The limitations of qualitative and quantitative risk assessment processes are discussed extensively by many safety professionals and academics. The [risk matrix](#) is the wrong answer to the wrong question and is a particularly blunt instrument, which is considered no better than tossing a coin or using a [Hasbro Ouija board](#). Its ordinal or nominal [scales](#) are easily manipulated to suit hidden agendas and it is impractical for the justification of significant expenditure on valuable assets. An electronically manicured and over egged safe work method statement or job safety analysis won't extinguish a fire. Indeed, much of the documentation observed across many projects is style over substance. It is unreasonably bureaucratic and nothing more than a combustible hazard and would provide better value in a construction site ablutions block. [2840-2850](#)

Hierarchy of controls

He blew his mind out in a car, he didn't notice that the lights had changed

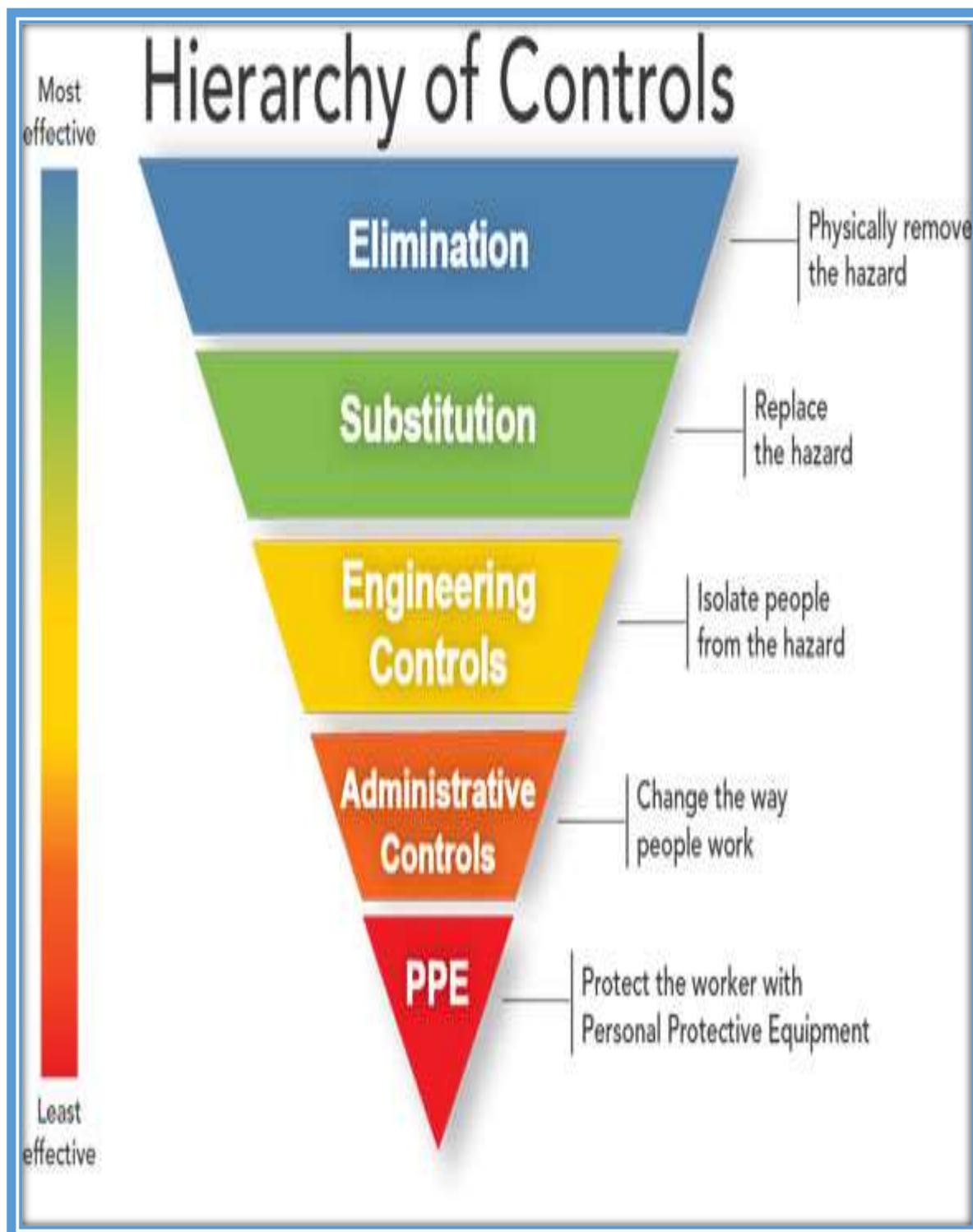
Lennon & McCartney ²⁸⁵¹

Health and safety legislation requires that the standard of control must be proportional to the likely worst consequence with an obligation to provide a safe place and system of work using adequately trained employees. This expectation is popularly promoted as the hierarchy of controls (Figure 15). It places an emphasis on a safe place and system of work with a minimum reliance on the behaviour of those at risk. Indeed there are many legal precedents, which reinforce that individual performance must not be judged against a hypothetical perception of perfection. It is necessary to account for physical and psychological attributes, degree of experience and knowledge and skills or competency. The failure to provide the required standard of care is referred to as [negligence](#). The [hierarchy of controls](#) is best suited to the field of occupational hygiene but its preference for a safe place and changing the situation is equally applicable to risk control. [Haddon's](#) energy damage countermeasures provide an even better alternative. It is more process oriented and offers increased flexibility to fulfil the law of [requisite variety](#). ²⁸⁵²⁻²⁸⁵⁷

Haddon's countermeasures

[Accident theory](#) is bereft of any formal process and its inordinate emphasis on unrelated or tenuous events inevitably results in [fundamental attribution error](#). Incidents are either categorised as random [acts of God](#) or involve blaming the victim using pejorative language. This includes traditional adversarial phrases such as unsafe acts, common sense, [human error](#) or carelessness. It is a disingenuous nostrum that discourages constructive analysis, which is especially comforting for many managers. Apart from disciplinary action, it implies there is little or almost nothing that can be done regarding injury prevention. However, a systematic evaluation of the process leading to injury, damage or loss provides a penetrating insight into incident aetiology. This scientific approach emerged during the 1930s following [de Haven's](#) evaluation of kinetic forces involved with crashes and falls. It recognised the human body has a tolerance or resistance to the transfer of mechanical energy and controlling the mechanism reduced the severity of injury. This placed an emphasis on injury prevention via the segregation or separation of mechanical energy sources. ²⁸⁵⁸⁻²⁸⁶⁵

Figure 15: The hierarchy of controls



Available from: [https://en.wikipedia.org/wiki/File:Hierarchy_of_Controls_\(By_NIOSH\).jpg](https://en.wikipedia.org/wiki/File:Hierarchy_of_Controls_(By_NIOSH).jpg)

Further analysis from [Gordon](#) advocated an [epidemiological](#) approach. This identified three principal elements in the process leading to injury, damage or loss, which included the host (victim), agent (energy) and vector (environment). It was somewhat radical and analogous with the management and treatment of infectious diseases. Additional road safety research by [Haddon](#) during the 1950s involved a convergence of epidemiological and biomechanical approaches. This proposes injury occurs via a sequential process involving the transfer of energy with a predictable likely worst outcome based on physical laws. It also encompasses [Gibson's](#) ecopsychology principles and affordance theory, which significantly influences design and ergonomics. [2866-2869](#)

Haddon's approach provides a framework or matrix that combines principal epidemiological factors with the sequence leading to injury, damage or loss. This affords a comprehensive systematic analysis supported by preventive strategies, which reduce the risk of injury, damage or loss. It recommends [ten countermeasures](#) to separate the agent or energy from the host at each stage of the sequential process, which consists of pre-event, event and post event phases. [2870-2872](#)

In the pre-event phase the potentially damaging energy source has not been released and this provides opportunities for primary prevention by changing susceptibility or limiting exposure. There are several options, which include removing the hazard, restricting storage capacity or changing physical and chemical properties such as flammability, toxicity and corrosivity.....*What you don't have can't leak.* [2873-2874](#)

In the event phase the energy source is transferred to the host and requires secondary prevention techniques that detect and control the transfer mechanism to reduce its momentum and subsequent consequence value. This is best accomplished via [passive engineering controls](#), which do not require active participation of individuals. It includes limiting the rate of release of the hazard at its source or separation and segregation of the hazard from the susceptible host or asset. In the final or post event phase the energy source has been transferred to the host and tertiary prevention techniques are required. This places an emphasis on minimising the consequence value by reducing injury severity and asset damage followed by restoration. It includes provisions for first aid, emergency response and evacuation, crisis management, critical incident recovery, business continuity plans, injury management and rehabilitation. [2875-2877](#)

The Haddon [matrix](#) with its process oriented framework provides additional options to reflect and align with [Ashby's](#) law of [requisite variety](#). This enhances flexibility with the potential to consider the social impact of injury prevention strategies and additional risks that may be inadvertently generated by proposed interventions. The countermeasures consist of three categories that include engineering, education and enforcement, which can then be classified as active or passive controls. [2878-2881](#)

Engineering controls are usually passive and require no participation from the host. They can be applied across the entire process or continuum and are most effective during the project or equipment [design](#) phase to optimise performance requirements. Education is the easiest and most frequently implemented control but it is the least effective. It is an active intervention or antecedent that requires action from the host, [operant conditioning](#) and [behavioural change](#). The host must understand the process and apply the acquired knowledge. Its reliability is only ephemeral and must be supported by regular inspections and observations to monitor behaviour and evaluate effectiveness. Enforcement regimes that monitor compliance with statutory legislation or standard operating procedures often generate counterproductive consequences, which include blame and fear. This discourages reporting creates anxiety and increases psychosocial risks. [2882-2883](#)

Traditional [accident theory](#) concludes most accidents are attributed to unsafe acts, which places an inordinate focus on human behaviour and is inconsistent with statutory legislation. Risk theory promotes the reliability of controls with an emphasis on minimum failure rates over time. The most reliable control measures are those which focus on improved design with better technology to reduce reliance on human behaviour. This coincides with the moral argument of law. [2884-2885](#)

Most safety advisors require a detailed knowledge of the standard of care that is prescribed in their jurisdiction and can recite the hierarchy of controls parrot fashion. However, statutory legislation prescribes requirements for reporting notifiable incidents, which are followed by a comprehensive investigation. A review of project [risk registers](#) and investigation reports often exposes the [Pareto](#) principle with evidence of an alternative race to the bottom. Somewhat regrettably, the majority of corrective actions involve a precarious over reliance on cosmetic lower order administrative protocols or the use of personal protective equipment, which disregards statutory obligations. [2886-2892](#)

Lower order controls

Following investigations paradoxical nostrums are often implemented. These include lower order controls such as additional warning signs, disciplinary action, retraining, revision of safe work method statements or standard operating procedures and the use of supplementary personal protective equipment. It is a decorous façade, which is inconsistent with the law of [requisite variety](#) and does not significantly reduce the associated risk. Documentation becomes increasingly complex, which cultivates bureaucracy and eventually generates disdain and distrust. Active lower order controls focus on changing people and it is much more effective to change the situation. [2893-2899](#)

Warning signs and training

A panoply of safety signs is commonplace on most projects and superfluous laminated warnings are often displayed haphazardly and mounted using string, cable ties or adhesive tape. Many are confusing, noncompliant with guidance standards and frequently disregarded. Elevating work platform engine hoods display a betokening - *Danger Moving Parts*. Project offices, especially crib rooms, are bedecked with futile warnings. Doors are affixed with a presaging - *Danger Door Opens Inwards* and kitchen cisterns are supplemented with soothsaying labels - *Danger Hot Water*. Departure lounge windows at a regional airport were decorated with a wonderful oxymoronic pièce de résistance - *No Smoking Prohibited*. At least it was spelt correctly or perhaps it was innovative choice architecture. Laminated safety signs such as *Danger Crane Operating* may assist paramedics find an injured person on a large construction site. However they are more often heard, semiotically fluttering in the breeze, like Reject shop plastic windmills on a suburban cemetery grave or makeshift [roadside traffic accident memorial](#). [2900-2905](#)

At one project, the corrective action for light vehicles interacting with powered mobile plant on access roads required a verification of competency for light vehicle drivers. This was completed by an accredited trainer from a registered training organisation and every driver was assessed as competent. It was a classic displacement activity and diverted attention from using higher order controls such as segregation. If obscenities and the terms mate or buddy were excluded from two way radio chatter during traffic control, the silence would be deafening. [2906-2908](#)

Legislation prescribes requirements covering general construction induction training. This is accompanied by site specific inductions, which provide organisations with a perfect opportunity to improve recruitment processes and demonstrate leadership. However, participant feedback confirms site inductions are merely a superficial death by Pierrepont exercise. It conflicts with andragogic principles and every attendee passes with flying colours, which verifies the presenter has a pulse and inductees can scrawl their name on the attendance register. [2909-2914](#)

Golden rules

Many projects also display and enforce platinum, golden, cardinal or lifesaving rules, which are regularly reiterated during inductions, prestart meetings and toolbox talks. Breaches often result in dismissal and rather predictably, it generates blame and fear, which conflicts with [Deming's principles](#) for the transformation of western management. [2915-2916](#)

It was the great dissenting philosopher, [William Hazlitt](#), who commented that.....*Rules and models destroy genius and art* and the renowned Roman politician, [Marcus Tullius Cicero](#), remarked.....*The more laws, the less justice*. Laws of fear and alternative approaches for achieving compliance using [behavioural economics nudge theory](#) are discussed by [Sunstein](#) and [Thaler](#). This advocates [libertarian paternalism](#) and promotes an innovative [choice architecture](#) philosophy but still adopts a rather narrow behaviourist philosophy. [2917-2922](#)

Bureaucratic nostrums

On one major coal seam gas construction project eye complaints occasionally required medical treatment to remove foreign bodies. Safety glasses were mandatory on the project and compliance was evident. The ailments often materialised at the project accommodation camp, several hours after finishing work. Treatment was provided at the site medical centre and the incidents were categorised as recordable injuries, without any preliminary analysis of the [event mechanism](#). An extensive and unnecessary investigation followed, which recommended mandatory use of foam backed safety glasses. This disregarded the hierarchy of controls and failed to address the problem at the source via [local exhaust ventilation](#). Moreover, it significantly increased the risk through impaired vision, especially when operating powered hand tools under hot and humid conditions and generated [maladaptive anxiety](#) across the entire project. [2923-2927](#)

On another project an employee received minor burns to his lips and tongue eating a jam filled doughnut, which had been heated in a crib room microwave oven. The injury required medical treatment and an extensive investigation followed to establish root, necessary and contributory causes. Warning labels were affixed to microwave ovens and pie warmer doors in each crib room across every project site. In August 2013, a young labourer had been working on a coal seam gas project in central Queensland for approximately two weeks. The employee was removing an entangled tree root from the bucket wheel of a pipeline trenching machine and received serious hand injuries. The lower limb was amputated following unsuccessful microsurgery. [2928-2929](#)

Entrapment risks were evident and indeed flexible rubber strips were affixed to the bucket wheel compartment in a futile attempt to restrict access to moving parts. The subsequent investigation placed an inordinate focus on the failure of lower order administrative protocols. It highlighted inadequate supervision and the ineffectiveness of training programs for inexperienced employees. However, legislation requires that the standard of control must be proportional to the likely worst consequence. The equipment guarding was somewhat inadequate with a rudimentary agrarian design, which allowed unrestricted access to its internal components. The supplementary installation of photoelectric sensors with automatic shutdown and dual [redundancy mechanisms](#) to reduce the associated risk of entrapment was quite feasible. [2930-2931](#)

Following the investigation, access to mechanical components was restricted using a passive barrier, which was mounted around the equipment. Warning signs were also displayed to dispel anachronistic superstitions or exorcise evil spirits. It is all too frequent and somewhat unfortunate that many solid higher order control measures have a corpse or two as a foundation. Over five years later in Rockhampton magistrates' court the organisation received an [\\$80,000 fine](#) although [no conviction](#) was recorded. The incident provides further substantive evidence that many project requirements including contractor prequalification protocols and plant risk assessments are merely bureaucratic nostrums. It is an ineffective smoke and mirrors exercise and feeble attempt to demonstrate due diligence. Systemic risk control structures similar to the German professional industry associations or [Berufsgenossenschaften](#) are required. This includes contractor registration and equipment design approvals, which are linked to insurance premiums. [2932-2941](#)

In September 2014, an employee with a principal contractor suffered fatal head injuries joining polyethylene pipes with an industrial welding machine. The work group was attempting to lift a section of welded pipe from the equipment using slings and an internal lever was inadvertently activated. It caused a support roller to rise which crushed the victim's head against the structural framework. The deceased was married with a young family. A search for moral high ground was almost immediate with the delivery of an impromptu project toolbox talk, which commenced with a minute of silence. A woollen beanie was passed around the project office concourse and colleagues were requested to dig deep for donations to support the dependents. [2942-2943](#)

This was followed by a corporate email stating the client would match any contributions obtained via site fund raising activities. A candle lit vigil ensued with raffles and auctions of sporting memorabilia and other paraphernalia during special functions at the accommodation block wet mess. An executive [fatwa](#) demanded an audit on every item of [powered mobile plant](#) across the project and controls were implemented to prevent the inadvertent activation of selected equipment. Laminated warnings appeared on the engine cowls of scissor lifts and elevating work platforms stating *Danger Moving Parts*. The significant risk of entrapment and crush injuries when operating the equipment amongst overhead pipelines and cable trays was conveniently disregarded. The [principal contractor](#) went into liquidation and was fined \$160,000 with additional legal costs totalling \$3000. The estimated cost of the entire project was \$27 billion and its executive director received a substantial remuneration and generous performance bonuses worth almost \$2 million. The plight of the bereaved in an era of casino capitalism with its winner take all philosophy can only be imagined. [2944-2949](#)

These Dickensian symptoms are reminiscent of the industrial revolution with its [Health and Morals of Apprentices Act](#), which was introduced by [Sir Robert Peel](#) in 1802. It was augmented via the holy trinity of [common employment](#), [volenti non fit injuria](#) (voluntary assumption of risk) and [contributory negligence](#) with a prescribe, police and punish regime. Despite a fustian campaign proffering excellence in the basics, very little has changed. It was indeed pretty basic, irrationally bureaucratic but far from excellent. The direct costs of hiring a safety consultant with a narrow and immature behaviourist focus at over \$3000 per day failed to add any value. It did not significantly reduce project risks and merely blamed the victim. [2950-2953](#)

Other totalitarian controls included electronic surveillance systems for monitoring speed and use of seat belts in light vehicles. The original intent to moderate driver behaviour was progressive. However, it soon degenerated into a pissing contest and blame game with disciplinary action. This often involved instant dismissal and a window seat on the next plane home to the point of hire. Seat belt monitoring was easily circumvented by field employees using an oblique supply of redundant buckles from local car wrecking yards. ²⁹⁵⁴

Screening for alcohol and other drugs across projects was monitored with clinical precision and involved mandatory breath alcohol analysis supplemented by random drug testing. This was performed by accredited personnel using defined protocols to address the complexities covering invasion of privacy and civil liberties. The process is often considered inequitable and evidence indicates that screening did not occur as regularly in corporate project offices. Additional problems arise through the use of inconsistent approaches. Australia adopts a [harm minimisation](#) strategy using broad based prevention and reduction techniques whilst the United States, somewhat unsurprisingly, prefers a prohibition, enforcement and [zero tolerance](#) philosophy. It is most interesting and paradoxical that similar clinical precision and tenacity did not apply to monitoring and health screening protocols for exposure to [respirable coal dust](#) and [crystalline silica](#) in the Queensland mining industry. ²⁹⁵⁵⁻²⁹⁶⁵

Many of these systemic encumbrances are prevalent across most resources projects and create incalculable adverse consequences. This subjugates [principle based leadership](#) and is inconsistent with the cultural enablers of [operational excellence](#), which include leading with [humility](#) and [respect](#) for every employee. It is hardly surprising that safety has lost its legitimacy and is treated with complete disdain by many employees. This is reiterated by another infamous quote from [W. Edwards Deming](#).....*Export anything to a friendly country except American management.* ²⁹⁶⁶⁻²⁹⁷⁰

Oppressive leadership, compliance and enforcement and the dominance of active lower order controls are redolent of primitive regimes and [accident theory](#), which aims to create a safer person and is inconsistent with statutory obligations. [Risk and energy damage theory](#) promotes reliability using passive technological controls. This decreases reliance on human behaviour. It targets the source and creates a safe place through better design, which reduces risk and complexity and aligns with [common law duty of care](#) requirements. ²⁹⁷¹⁻²⁹⁷³

Incident aetiology

Do not choose a coward's explanation that hides behind the cause and the effect

Leonard Cohen ²⁹⁷⁴

An understanding of **incident aetiology** is intrinsic for the prevention of disasters and stemming the tsunami of workplace injury and disease. The term accident is defined as an unplanned, unexpected and unwanted event that gives rise to injury, damage or loss and has been disparaged by many notable academics. It is described as an ersatz concept with a concoction of legal, medical and statistical overtones and many theoretical models have evolved in an attempt to unravel and resolve the mystery of causation. ²⁹⁷⁵⁻²⁹⁷⁸

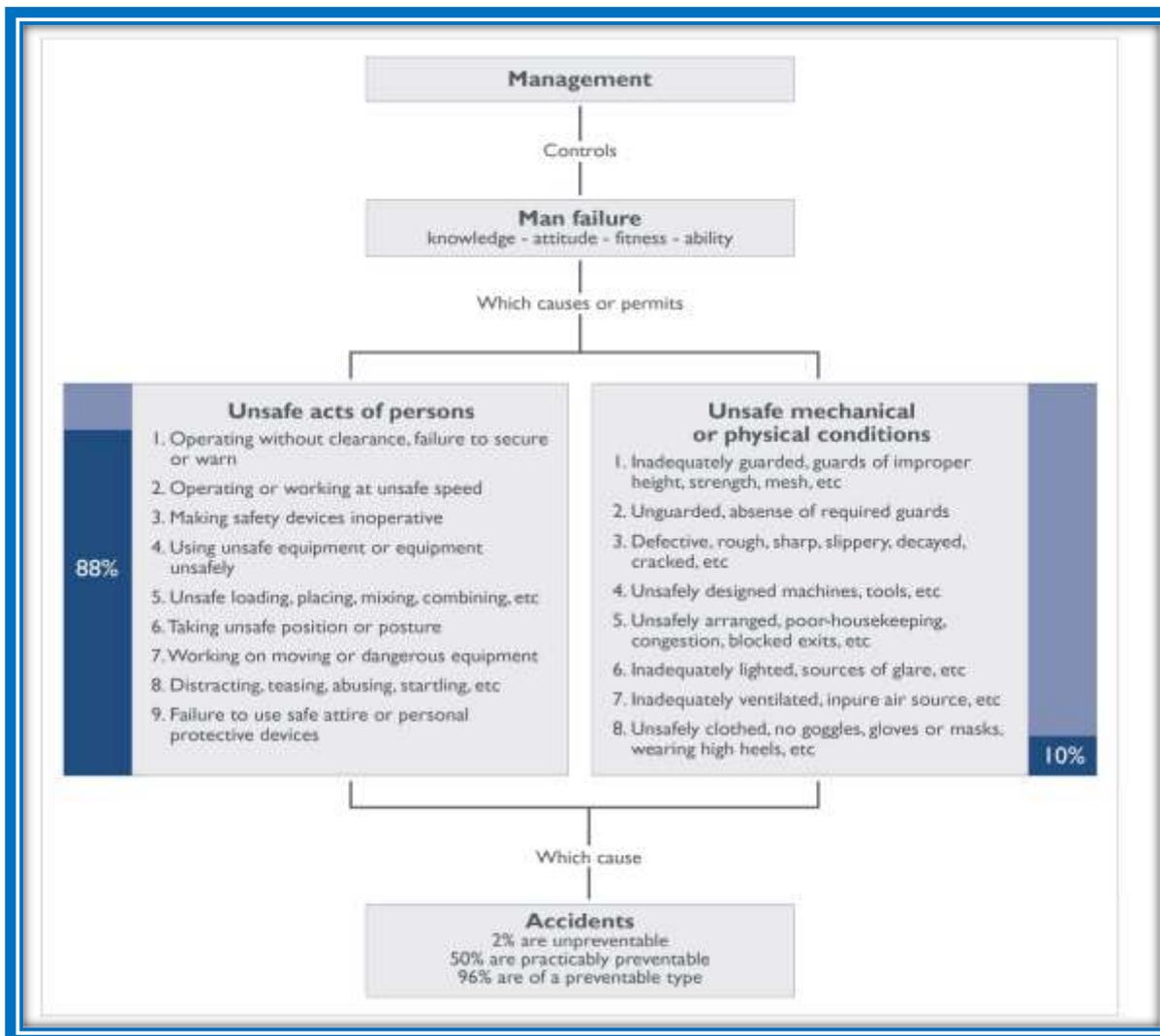
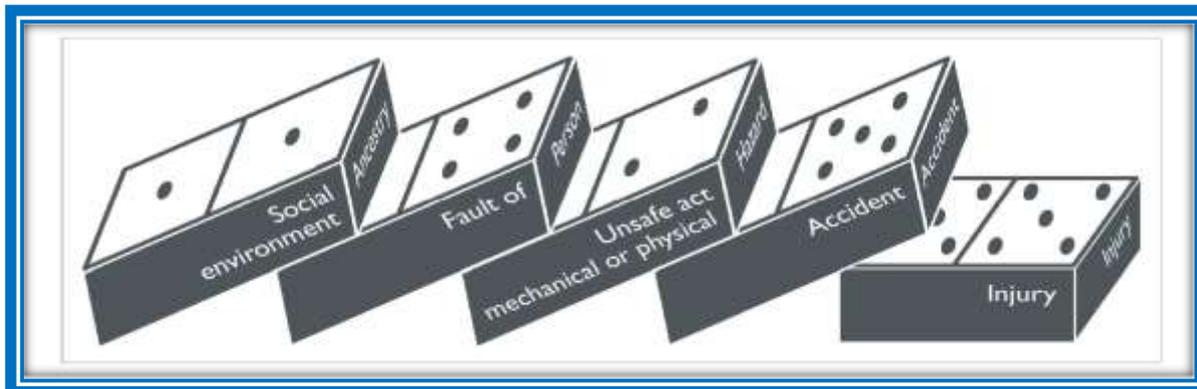
Simple linear models assume that accidents occur through a sequential interaction of conditions or circumstances and can be prevented by simply removing the causal nexus. Complex linear models propose that accidents involve a direct combination of proximate unsafe acts and distal latent conditions, which can be prevented using robust barriers and defences. Complex multi-dimensional models recognise that failure occurs when the entire system variance and tolerance exceeds its functional capabilities. ²⁹⁷⁹⁻²⁹⁸²

Heinrich's domino theory

The traditional model of accident causation is **Heinrich's domino theory**, which remains enduringly popular despite its many inconsistencies. It is underpinned by axiomatic cause effect ideology with the assumption that a preventable injury is a natural culmination of sequential events. The theory proposes that ancestry and social environment creates inferior personal characteristics and improper or inappropriate behaviour, which results in unsafe acts that cause accidents resulting in injury, damage or loss (**Figure 16**). ²⁹⁸³⁻²⁹⁸⁵

It concludes that the majority of accidents are caused by unsafe acts and its simple solution advocates removing the cause to prevent accidents. This has created a somewhat futile and elusive search for causes and **Heinrich's** subtle distinction between cause and control is frequently overlooked. Despite its pejorative, subjective and judgemental terminology the theory remains persistently popular and is readily accepted by cohorts of safety zealots and careerist zombies. However, people are not infallible machines and an extraordinary expectation of enduring perfection is somewhat unrealistic. Moreover, unsafe acts and conditions are seldom sufficient or necessary causes of workplace accidents. ²⁹⁸⁶⁻²⁹⁸⁷

Figure 16: The Heinrich domino model



The OHS Body of Knowledge – Models of Causation: Safety; April 2012

(Domino model of accident causation and direct and proximate accident causes

according to Heinrich; pp. 5 - 6)

Reason's model of system safety

Linear cause effect models do not reflect the reality of incident aetiology and frequently fail to address the complexity of causation. Human error is not the sole cause of undesirable consequences and dormant systemic problems are often significant contributory factors. This created an alternative approach, which considers the byzantine and antagonistic interaction of upstream organisational factors or latent conditions and downstream active failures at the human machine interface. ²⁹⁸⁸⁻²⁹⁹⁰

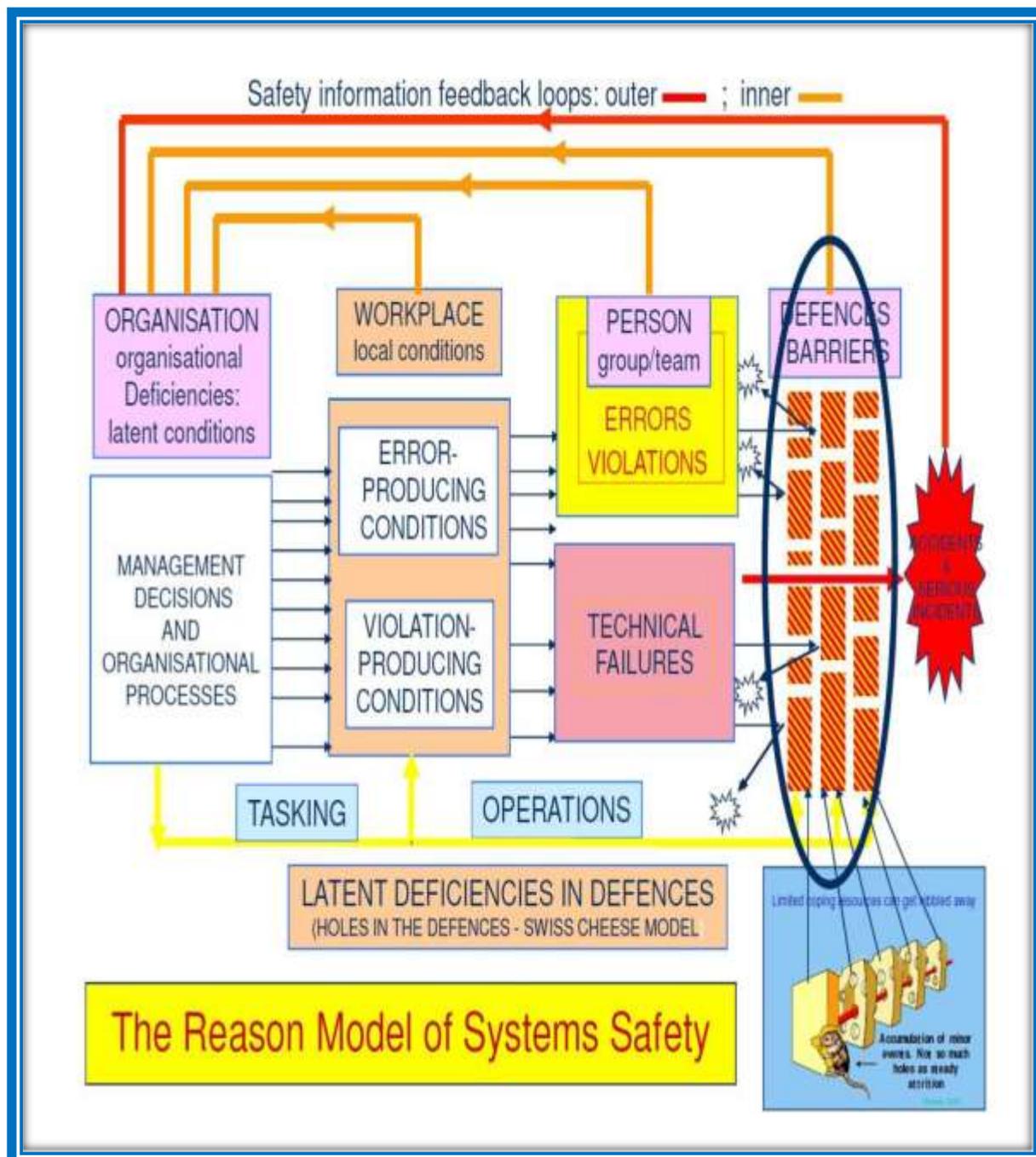
The focus of investigations shifted from blaming individuals to a more honourable and dignified systems approach in an attempt to achieve virtuous outcomes. It establishes a variety of defences or barriers to reduce adverse consequences and is summarised by Reason's model of system safety (Figure 17). This transfers the locus of causation to a constructive analysis of behaviour and decision making based on the enabling and prevailing conditions. It promotes a learning and just culture without connotations of blame, fear and retribution. ²⁹⁹¹⁻²⁹⁹²

Functional resonance analysis method

The application of complex linear models is often limited to tractable processes and contemporary research focuses on the multi-dimensional aspects of causation and emergent outcomes. This recognises the reality that failure can occur via an intricate network of mutually interactive variables. It is only through unravelling this labyrinth of complexity that causation can be understood to prevent disasters and curtail the tsunami of injury, damage and loss. Many sociotechnical systems are intractable and prevailing conditions rarely align with theoretical expectations. Individuals, work teams and the organisation react accordingly and adjust their performance to meet the demands and it seldom results in failure. However, in a combination with variances in latent conditions, technological glitches and inadequate defences unexpected outcomes may emerge with devastating consequences. This is termed functional resonance and it is summarised by Hollnagel (Figure 18). ²⁹⁹³⁻²⁹⁹⁴

Safety advisors must be conversant with the application of specific causation models and understand the idiosyncrasies of cause effect ideology. The identification of proximate causes merely leads to treating symptoms and blaming the past with an insignificant impact on controlling the future. It is best summarised by the late Leonard Cohen.....*Do not choose a coward's explanation that hides behind the cause and the effect.* ²⁹⁹⁵⁻²⁹⁹⁶

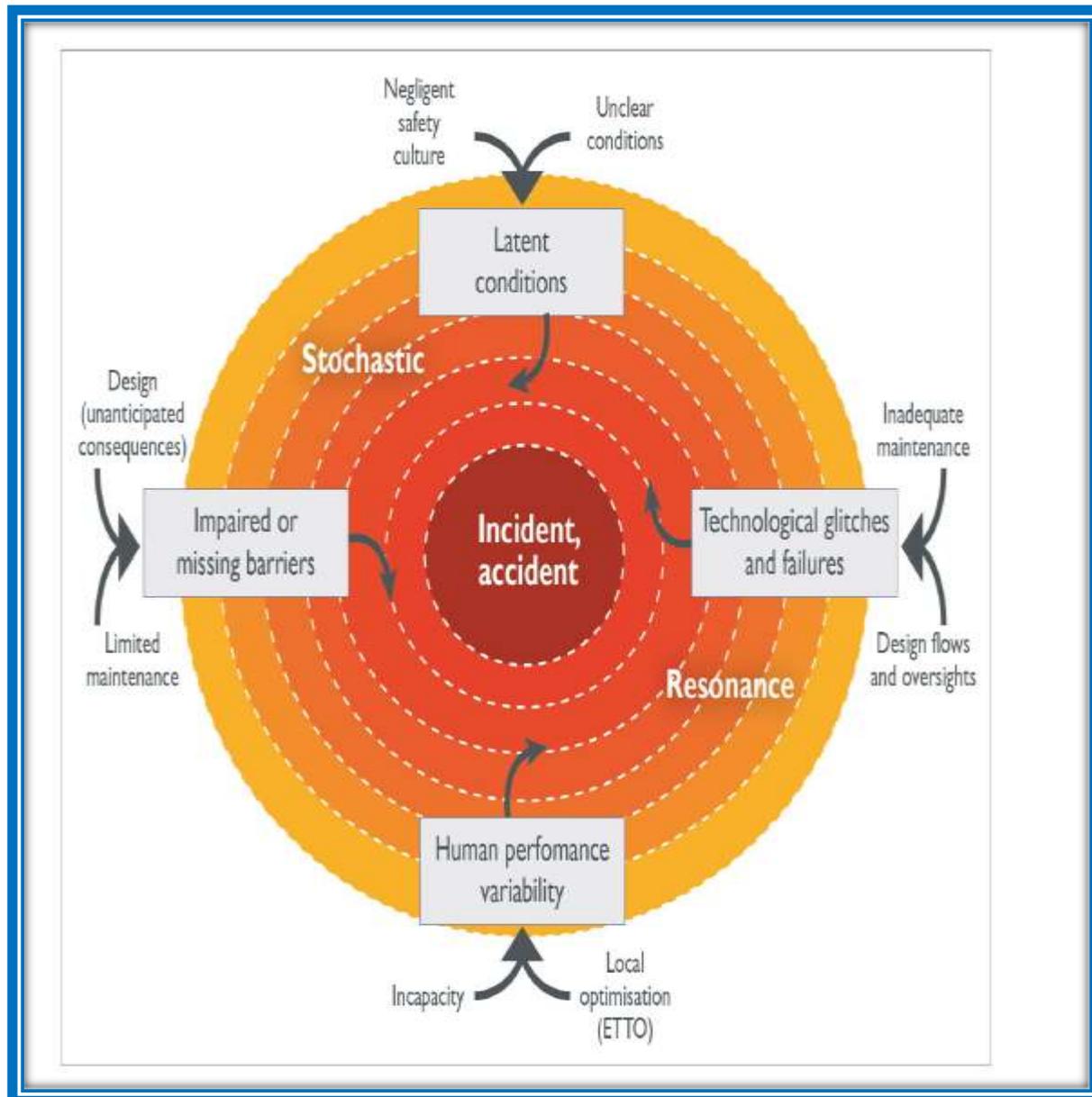
Figure 17: Reason model of system safety



The OHS Body of Knowledge – Models of Causation: Safety; April 2012

(The Reason Model of System Safety; p. 13)

Figure 18: Hollnagel functional resonance analysis model



The OHS Body of Knowledge – Models of Causation: Safety; April 2012

(Functional Resonance as a System Accident Model; p. 18)

Cause and effect

Cause effect ideology is a fundamental tenet of [accident theory](#) and has been subject to extensive critical analysis over many years. It is overly simplistic, mechanistic and advocates unsafe acts or [human error](#) lead to injury or damage. This has received widespread acceptance amongst many safety advisors. Several variations have evolved, which are essentially linear and suit tractable processes. They are fundamentally flawed and impractical for [sociotechnical systems](#). Investigations are often invalidated by deceptive categorisation of evidence to achieve a desired outcome, which typically blames the victim. [2997-3007](#)

Following several hours of painstaking and meaningless deliberation over [proximate](#), [distal](#), [sufficient](#), [contributory](#) and [necessary](#) causes, the outcome frequently divulges a statement of the bleeding obvious. This relies heavily on the benefit and [bias of hindsight](#), which usually discloses [human error](#). It is classic [20/20 vision](#) and the auto da fé merely allocates or redirects blame onto subordinates and the culpability cycle continues ad infinitum. [3008-3017](#)

Another significant limitation with cause effect dogma is that it nurtures an atavistic and overwhelming desire to find scapegoats and seek closure or retribution. Many of these symptoms were evident following the [Hillsborough](#) stadium disaster in April 1989 and are discussed extensively by [Scruton](#). Following disasters, especially involving transport, [human error](#) is usually ascribed as the cause by investigators or the media. It is often a consequence, which is influenced or provoked by other factors. The term cause must be used sparingly during investigations, nonetheless it features prominently within the title of two putative proprietary tools. [3018-3025](#)

[Heinrich's accident theory](#) confirms almost 90% of workplace accidents occur through unsafe acts, which is especially comforting for senior management. It implies there is very little or nothing they can do regarding prevention and explains its persistent popularity. The ascription of [human error](#) is unhelpful and akin to saying falls are due to gravity. It often implies blame, which is misleading and pejorative and compromises investigations. This diverts attention from engineering controls, which focus on changing the situation and addressing the problem at the source. Changing the human condition is a complex and difficult task. However, modifying the working environment is often more effective and far less complicated.....*We shape our buildings; thereafter they shape us.* [3026-3032](#)

Human error, fallibility and anxiety

Accident theory claims unsafe acts or *human error* account for most industrial accidents. *Human error* has been defined as the failure of planned actions to achieve their desired ends without the intervention of some unforeseeable event. This distorts and obscures the aetiology of industrial accidents and classifies *human error* into a single category, which inevitably blames the victim. Humans are a socially dependent species and conditioned by necessity, which renders them vulnerable. Indeed, failure is a necessity of survival and should not be categorised as good or bad. The term *human error* is a meaningless idiom and its use by many behaviourists repudiates existence or being. Industrial safety conveniently disregards the enigma of human unconscious yet it is critical for defining and understanding *fallibility*. The totalitarian discourse of perfection, which dominates the industrial safety sector corrupts fallibility and renders *human error* sacrilegious. ³⁰³³⁻³⁰³⁶

Current putative investigation processes adopt a more holistic systems approach but remain essentially linear and reductionist. The *binary oppositional logic* is somewhat superficial and mechanistic and it frequently attributes rationality to unconscious decisions. This treats *decision making* like approaching and/or logic gates in an *event* or *fault tree analysis* diagram. It ignores that most decisions are often emotional or even arational and the trajectory has significantly amplified the blame dichotomy. Any actions taken unconsciously cannot be described as a *rational choice*.....*How can anyone choose to reason falsely?* ³⁰³⁷⁻³⁰⁴⁰

Resolving *fallibility* using higher order controls eventually generates an increased focus on *human factors*. This places an inordinate emphasis on black box psychology or *cognitive behaviour*, which is exacerbated by *zero harm* ideology and an unrealistic pursuit of perfection. *Fallibility* is a condition of humanity and it reifies risk. Its denial evolves from the dialectic between choice and necessity and somewhat paradoxically, it ignores uncertainty and curtails liberty. Industrial safety with its unwarranted focus on *accident theory* cannot handle the enigma of *fallibility* or recognise risk as a *wicked problem*. It is blinded by its own religious verbosity and becomes increasingly pious with fundamentalist ideologies such as vision zero. A capricious trajectory emerges from the advancing technology and culture is surrendered to the *technique* or *technopoly*. It depreciates learning, despises failure and dehumanises people, which significantly increases *psychosocial risks*. ³⁰⁴¹⁻³⁰⁴⁵

Even after minor incidents, the painstaking search and quantification of [human error](#) has become mandatory in industrial safety. Following any transgressions, reparation and remorse are obligatory requirements. Individuals are often besmirched via an [auto-da-fé](#), which is adjudicated by the [zero harm](#) advisor, an accredited witchfinder general under the safety professional [certification](#) scheme. The incriminating evidence is invariably supplied by an overly ambitious safety crusader and.....*Every time it clicks, what the smart phone depicts, steals a little piece of soul.* The wickedness is over analysed at the next project meeting and apostates are hanged out to dry in the crib room pending disciplinary action. They must atone for their evil deeds with an avowed commitment to [zero harm](#) and attend further indoctrinating inductions.....If they still have a job. Many significant scientific discoveries have occurred serendipitously and errors or mistakes are essential for learning. The desire for infallibility is a denial of death and disguises the realities of failure. It creates a miasma of materialism, consumerism, individualism, pettifogging, [anomie](#), despair and anxiety. This is exacerbated by ideologies such as [zero harm](#).....*To err is human, to forgive, divine.* [3046-3054](#)

Many of these symptoms are evident throughout the resources sector, especially on [fly in and fly out](#) projects with prolonged absences from immediate family and close friends. After achieving mechanical completion at one coal seam gas project, the client and principal contractor allowed employees to attend a celebratory function at a local hotel. During the revelries an employee fell from a courtyard barbecue table and the immediate injuries were considered superficial. On returning to site the victim's condition deteriorated rapidly and examination at the project's medical centre diagnosed a damaged kidney. The employee was immediately evacuated via air ambulance to a Brisbane hospital. [3055-3056](#)

Later the same evening another group of employees were returning to the accommodation camp by car following the festivities. One of the occupants, a project mechanical supervisor, climbed through the passenger seat window and began cheating death by car surfing on the vehicle roof. The individual lost balance fell onto the roadside and suffered multiple injuries, which required transport by ambulance for treatment at a regional hospital. Investigations revealed many anomalies and the inevitable contradictory [eye witness statements](#). The events were furtively classified as non-work related and reinforced [Sartre's](#) concept of bad faith. This merely preserved the project's [zero harm](#) ideology and protected [corporate social responsibility](#), reputations and most importantly, substantial performance bonuses. [3057-3058](#)

Key performance indicators

Life can only be understood backwards but it must be lived forward

Soren Kierkegaard ³⁰⁵⁹

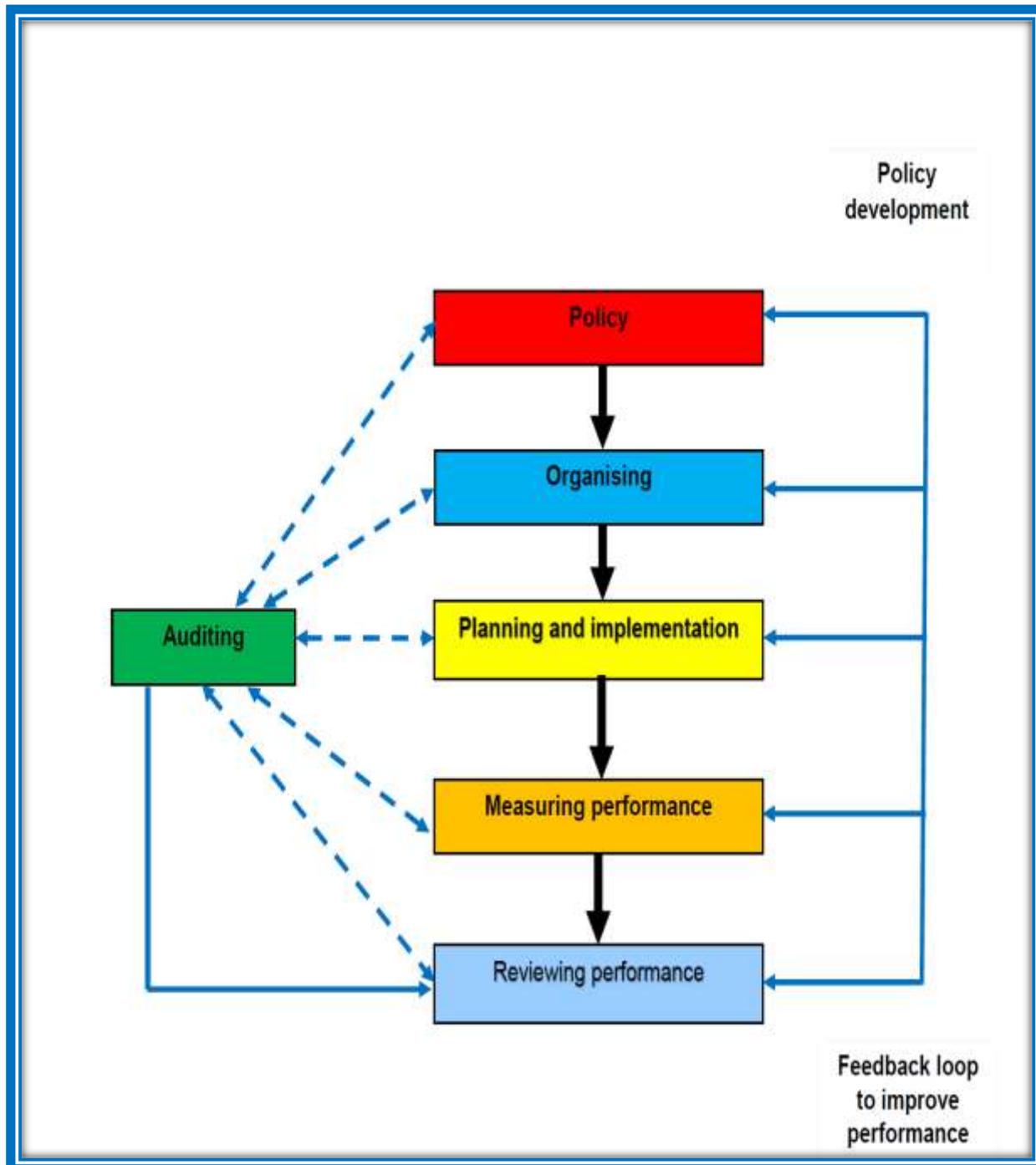
Performance monitoring is essential in any management system and provides a benchmark for continual improvement. If monitoring fails to measure upstream inputs, processes and downstream outputs, the data will be unreliable and undermine legitimacy. Executive leaders often broadcast superior business performance using positive indicators, which include percentage profit or return on investment. However, safety achievements are traditionally proclaimed using [injury frequency rates](#), which are an ex post facto metric. This measures success via a system failure and is statistically unreliable as a performance indicator. Safety is defined as freedom from the risk of injury and reactive metrics are inordinately influenced by high probability and low consequence events. It disguises the typical inverse relationship between frequency and consequence value, which is often disclosed when major disasters occur despite impressive workplace injury statistics. ³⁰⁶⁰⁻³⁰⁶⁵

The primary objective of measuring health and safety performance is to provide information on the progress and status of existing arrangements for controlling the associated risks. However, there is no silver bullet metric and a comprehensive systematic approach is required. The maxim.....*If you can't measure it you can't manage it and what gets measured gets done* requires extreme caution. Reactive metrics must be supplemented by positive indicators to establish the entire safety management system effectiveness via analysis of its inputs, process and outputs ([Figure 19](#) and [Figure 20](#)). ³⁰⁶⁶⁻³⁰⁶⁷

Positive or active indicators

Active indicators must focus upstream on prevention at strategic and business unit levels in the organisational structure. The objective is to detect and provide advance warning of latent conditions or pathogens. This is accomplished by monitoring upstream inputs and the safety management system's processes and provides opportunities to implement preventive action. Specific examples include the number of hazards eliminated through better design or the ratio of hard to soft controls detailed in project [risk registers](#). Active indicators are often established without considering the process leading to injury, damage or loss using a downstream reactive reference point with an inordinate focus on unsafe acts. ³⁰⁶⁸⁻³⁰⁷⁰

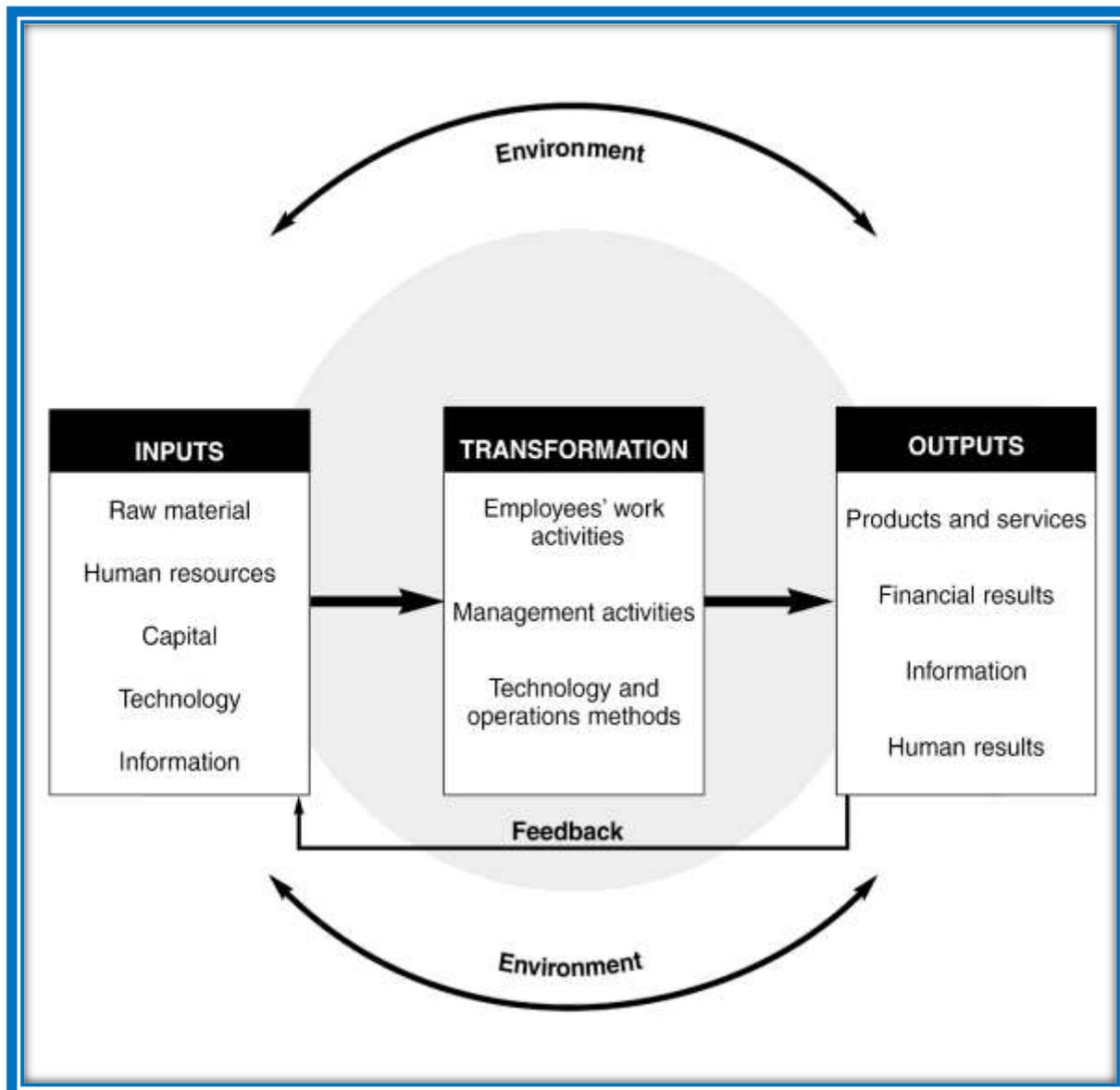
Figure 19: Measuring performance



Health and Safety Executive

(A guide to measuring health and safety performance - December 2001; p. 7)

Figure 20: System inputs, process and outputs



Management 2nd Edition 2000 – Robbins, Bergman, Stagg & Coulter

(The organisation as an open system; p, 19)

Negative or reactive indicators

Reactive indicators are traditionally used for monitoring safety performance and include the total recordable injury frequency rate. This is a statistically unreliable ex post facto metric, which uses a system failure to measure success. It is exclusively influenced by relatively minor cases and is quantitatively deceptive as a benchmark for potential disasters. [3071-3074](#)

The definition varies between international jurisdictions and frequency rates are regularly manipulated to meet prescribed targets, which are inconceivably linked to incentive schemes and substantial dividends. Despite project fatalities, disabling injuries and a mantra of [zero harm](#), executives still receive lavish bonuses, while the devastated dependents of victims are abandoned, quickly forgotten and left to rebuild their shattered lives. [3075-3083](#)

Manipulation of injury frequency rates

The manipulation of data is easily accomplished using accrued hours from tenuous sources, which include ancillaries in corporate offices, logistics contractors, consultants, security providers and catering and accommodation personnel. If these employees sustain a recordable injury, it is conveniently categorised as unrelated to the project. The hours worked accumulate but the injury is excluded from statistics. This significantly increases the denominator in the [calculation formula](#), whilst its numerator remains static. The frequency rate soon plummets and legitimacy is even further compromised. [3084-3085](#)

Fabricated figures are presented to executive team leaders, who are relieved when targets are achieved and project bonuses are preserved. However, [apophenia](#) prevails and it fulfils the increasingly common illusion that worthless statistics are better than no data at all and the measure gets managed, not the performance. This is neatly summarised by [W. Edwards Deming](#).....*People with targets and jobs dependent upon meeting them will probably meet the targets, even if they have to destroy the enterprise to do it.* [3086-3092](#)

It is much easier to fool people than to convince them that they have been fooled and statistics, especially total recordable [injury frequency rates](#), often conceal more than they reveal. This disguises the typical inverse relationship between frequency and consequence value and inadvertently diverts attention from operational risk. [Injury frequency rates](#) must always be evaluated with extreme caution because correlation is only a measure of association between two variables and does not imply causation. [3093-3095](#)

Emotional engineering

Our major obligation is not to mistake slogans for solutions

Edward Murrow ³⁰⁹⁶

Huxley's classic dystopian novel, [Brave New World](#) proffers a foreboding description of [Helmholtz Watson](#), a senior lecturer with the Bureaux of Propaganda at its College of Emotional Engineering. His role involved indoctrination of lower caste [Deltas and Epsilons](#) via subliminal conditioning with slogans and hypnopaedic mantras. This chimera is evident across most major construction projects.....*Safety is our No. 1 priority; Safety is a choice you make; Risk taker accident maker; Chance leads to accident; Call an electrician not a magician; All accidents are preventable and the pestilential [Zero harm](#).* ³⁰⁹⁷⁻³¹⁰¹

Safety slogans and posters

Across many projects one often encounters an assortment of patronising and jingoistic [Orwellian](#) safety slogans and posters, which are like the rattling of a stick inside a swill bucket and similar to advertising or junk mail. They do not save lives, provide insignificant protection and offer no value. It is merely another dehumanising displacement activity or encumbrance that indicates [accident theory](#) is thriving and supported by an adversarial regime, which treats people as objects or extensions of machines and subliminally blames the victim. ³¹⁰²⁻³¹⁰⁶

Crib room walls and toilet doors are festooned with a beguiling array of posters beseeching employees to behave safely and supplementary slogans are displayed at security entrance gates and embroidered into company clothing. On one major coal seam gas project a monthly safety theme was promoted and advisors would affix posters on toilet doors across the site. Many were ripped down or defaced with derogatory comments and a confrontational environment underpinned with fear, distrust and loathing was evident. ³¹⁰⁷⁻³¹⁰⁹

The promotion of safety slogans belittles and disparages employees and creates adversarial relationships. It is inconsistent with the [W. Edwards Deming](#) system of profound knowledge and management practices.....*Eliminate slogans, exhortations and targets.* Safety slogans are a symptom of atavistic [accident theory](#) and are promoted in an attempt to reduce unsafe acts, which are seldom [sufficient or necessary causes](#) of workplace accidents. The resources would be better deployed upstream with an increased and meaningful emphasis on design to reduce risk and complexity. ³¹¹⁰⁻³¹¹²

Incentive schemes

Slogans and posters are often supplemented with safety incentive schemes, which consist of financial rewards or celebratory recognition for nominated departments, project teams or individuals. Financial schemes invariably focus on the achievement of specific targets and are often linked to reactive [injury frequency rates](#). This effectively inveigles employees in an attempt to change attitudes and uses failure to measure success. It can discourage reporting, increase cynicism and erode legitimacy. Celebratory schemes involve acknowledgement from suppliers, industry associations and peak representative bodies and include congratulatory dinners, barbecues or tickets to major sporting events, which is fertile ground for regulatory or policy capture. [3113-3115](#)

Across many resources projects specific individuals or groups receive bonuses, recognition and awards or trinkets for exceptional safety performance. These include binoculars (for covert surveillance of unsafe acts), Akubra hats, polo shirts (with embroidered safety slogans), leather belts, golf balls and even steak knives. This is inconsistent with behavioural safety theory because attitude does not necessarily correlate with behaviour and the link is somewhat tenuous. Incentive schemes are not automatic performance generators and often fail to mitigate the associated risks. Diverse motivational tactics are required for different people and many incentive schemes inadvertently manipulate or inhibit reporting and are considered denigrating or condescending. [3116-3124](#)

Production bonuses and incentive schemes were debated vehemently at recent public hearings during the Queensland parliamentary inquiry into coal workers' pneumoconiosis. They were also evaluated during the [NSW Mine Safety Advisory Council Digging Deeper](#) project and sites suggested that offering significant bonuses would deter reporting. The subsequent report confirms incentive schemes which involve payment for meeting a prescribed reactive target cannot guarantee consistent or reliable safety performance and provide insignificant value. It also recommended schemes be carefully reviewed to ensure rewards do not compromise safe working arrangements. The focus should transfer from meeting reactive outcomes to positive performance indicators. However, much like safety slogans, incentive schemes are a displacement activity and resources would be better deployed upstream with an emphasis on design to reduce risk and complexity. [3125-3127](#)

Safety is our No. 1 priority

Following any disasters or workplace fatalities and senior managers confronting the cameras, the wheels of its propaganda machine are spinning furiously. Fear becomes the mother of deception as calculative media liaison officers embark on a trajectory of pleonasm and it begins well before the chief executive's lips start moving. The vacuous bilge is frequently interspersed with vapid clichés such as [zero harm](#) or [safety is our number one priority](#) and continues relentlessly until.....*A lie told often enough becomes the truth.* ³¹²⁸⁻³¹³⁰

In September 2014 a contractor received fatal injuries at the [Ricegrowers](#) agricultural stock feed plant near Tongala. The fitter was working alone inside a surge bin and fell onto an energised screw conveyor. It remains uncertain why there was no compliance with statutory confined space entry [procedures](#), which require an observer, entry permit and isolation of equipment. The company entered a late guilty plea and was convicted of breaching safety legislation and received a [\\$260,000](#) fine at the Melbourne County Court. At the same site back in [November 2000](#) an employee received serious injuries when his right leg became trapped in an auger and was severed below the knee. Following the recent fatality the [SunRice](#) chief executive claimed system enhancements were implemented and.....*Safety remains our number one priority.* He recently replaced [Gary Glitter Helou](#), another flamboyant impresario with a distinguished reputation throughout the Murray Goulburn region. ³¹³¹⁻³¹³⁶

Almost a month later at the SunRice [Deniliquin](#) mill an employee was fatally injured replacing a large industrial forklift tyre. The fitter was struck in the head by a split rim, which ejected under high pressure from its wheel assembly, killing him instantly. A [safety alert](#) was posted on the regulatory authority website several weeks before the incident. It was accompanied by a short video and provided guidance when inflating tyres, removing split rims and replacing wheels on industrial trucks. In the past ten years WorkCover New South Wales investigated almost 25 similar incidents, which resulted in fatalities or serious injuries whilst removing wheel assemblies fitted with split rims. Tyres must be depressurised before the activity starts. An identical incident occurred with a SunRice subsidiary, [Trukai Industries Limited](#) in Papua New Guinea at a [logistics provider's](#) workshop back in 2009. The deceased's remains were unceremoniously thrown into a wheelbarrow, covered with a tarpaulin and transferred to the local morgue at [Angau](#) hospital in the back of an open utility vehicle. ³¹³⁷⁻³¹⁴¹

In 2010 a Trukai Industries employee was struck by a forklift at its Lae manufacturing plant in Papua New Guinea and suffered serious leg and internal abdominal injuries, which included a ruptured spleen. The victim was transferred from [Lae International Hospital](#) via air ambulance to Townsville for further treatment. In 2005 a forklift operator was crushed and killed whilst unloading one tonne intermediate flexible bulk containers of rice, which were indiscriminately stacked in a leased warehouse close to the [Lae wharf](#). ³¹⁴²⁻³¹⁴³

The [SunRice](#) finished product is prominently displayed in glamorous packaging throughout most Australian supermarkets. The organisation is committed to sound [corporate governance](#) by communicating with shareholders and advocating high ethical standards with a strict code of conduct. It has an established reputation and benchmarks its performance with that of other food and beverage manufacturers. Its safety, health and environment committee [charter](#) advocates an ultimate goal of achieving and maintaining zero harm across the group. Its current work health and safety [policy](#) has not been authorised or countersigned by a senior management representative or company executive. Despite the recent fatalities the organisation [announced](#) an outstanding financial result for 2015 with a net profit after tax of \$49.2 million, which was a 46.8% increase on the previous year. Its [chief executive officer](#) received a [remuneration](#) of just over \$2 million, which included a \$445,000 cash bonus.....*Zero harm indeed.* ³¹⁴⁴⁻³¹⁵⁰

Irrespective of the industry sector, the [traits](#) of most major corporate behemoths and their entrepreneurial executives are identical. There is often an incapacity to sustain enduring relationships with a reckless disregard for the safety and welfare of others. This is usually accompanied by recurring mendacity and subterfuge with a complete disrespect for law and social mores and an inability to experience guilt or remorse irrespective of the consequences. It is especially evident in [developing countries](#) until the locals become disenchanted with the mercenary tactics, relentless pursuit of profit and exploitation. These antisocial [disorders](#) align with the attributes of [psychopaths or sociopaths](#) and are even more pronounced amongst female executives who can be quite [fierce](#) during combat. The traits are frequently deployed to climb corporate ladders but are quite tormenting on the descent. Common indicators include [kiss up and kick down](#), [borderline rage](#) and [praise me](#) symptoms. Breaking the glass ceiling with [diversity and inclusion](#) can breed [success](#) but every action creates an equal and opposite reaction that may significantly increase psychosocial risks. ³¹⁵¹⁻³¹⁵⁹

Bad 'air day

Nike, Inc. is an American multinational corporate behemoth and [growth company](#), which uses the religion of sport in a furtive attempt to move the world forward. The organisation proselytises about an equitable and [sustainable](#) future, where everyone thrives on a healthy planet and level playing field. This elysian paradise is reinforced via a symbolic and puritanical [statement](#) from its [chief executive officer](#), which is littered with [Bernaysian](#) corporate hogwash masquerading as truth in an insatiable quest for moral rectitude. Irrespective of the commodity, the common objective of global conglomerates is to maximise profit and socialise loss, which is the [established standard](#) or creed that inspires contemporary corporate [culture](#). ³¹⁶⁰⁻³¹⁶⁷

During the 1990s Nike attracted significant [adverse publicity](#), which was influenced by the [Situationist International](#) movement and included extensive criticism from Canadian activist [Naomi Klein](#). It was directed at its extremely rapid growth, escalating profits and use of alternative [manufacturing facilities](#) in developing countries with the callous exploitation of [vulnerable workers](#), especially women and children. The initial corporate response was to disregard its common law [duty of care](#) and it received unequivocal support from the [Mises Institute](#), an extreme [right libertarian](#) and [anarcho-capitalist](#) institute. ³¹⁶⁸⁻³¹⁷⁶

Following [mass protests](#) and campaigns from humanitarian activists and [advocacy groups](#), Nike eventually responded by developing a [code of conduct](#) and monitoring conditions at manufacturing facilities. However, even established [organisations](#) such as the [International Occupational Health Commission](#) are usurped by multinational corporate interests and [reports](#) suggest the process is merely a [veneer of respectability](#). It indicates the conglomerate has engaged in a race to the bottom and significant [concerns](#) regarding the [integrity](#) of factory surveys or inspections have since emerged. Indeed, manufacturing has been [relocated](#) to [underdeveloped](#) nations without any labour standards or legislation covering health, safety or environmental obligations. The company takes its name from the Greek [goddess of victory](#) and despite the rhetoric on [sustainability](#), there is only one winner in its culture of casino capitalism. It is somewhat paradoxical but in 1861 [President Lincoln](#) delivered a [speech](#) to a joint session of congress, which proclaimed labour was [superior](#) to and independent of capital and merits much more appreciation...*O say can you see by the dawn's early light. What so proudly we hailed at the twilight's last gleaming.* ³¹⁷⁷⁻³¹⁹³

Cancer of capital

Alcoa is the world's largest aluminium company with operations in many locations across numerous countries. It has three major facilities in Western Australia, which include its Kwinana, Pinjarra and Wagerup refineries with a collective annual output amounting to almost seven million tonnes of alumina. The organisation is a political chameleon and promotes itself as a model corporate citizen with an impeccable safety record. It is also perceived as a totalitarian corporate gangster that inveigles federal and state governments using its extraordinary financial clout to crush dissent and achieve its ruthless ambitions. ³¹⁹⁴⁻³²⁰⁰

In a 1998 report to shareholders its American chairman resorted to conventional corporate doublespeak and claimed economic growth and a sustainable environment were compatible and necessary objectives. Indeed, Alcoa sought to establish a leadership role on ecological sustainability and alleged it was an environmentalist first and industrialist second. However, numerous complaints and the emergence of serious health issues amongst employees and communities surrounding its Kwinana and Wagerup sites suggest otherwise. ³²⁰¹⁻³²⁰⁹

A liquor burning facility operated within the K58 section of its Alcoa Kwinana refinery for approximately 14 years until early 2002. The technology was purchased from Showa Denko in Japan and involved removal of total organic carbon contaminants from the caustic solvent to improve quality and increase productivity. This generated carbon monoxide, water vapour, carbon dioxide and a concoction of volatile organic compounds, which were discharged into the immediate environs. Operators were frequently exposed to liquor burner vapours or oxalate kiln emissions and numerous complaints regarding noise or offensive odours soon emerged. ³²¹⁰⁻³²¹⁴

Serious adverse health effects followed, which included chronic fatigue syndrome and multiple chemical sensitivity with several unexpected deaths. An exploratory health study from an occupational physician identified an abnormal clustering of cancers such as leukaemia, brain tumours and lymphoma throughout the region. This prompted families to publish a list of casualties who either died or became seriously ill after working at Alcoa Kwinana. In January 2002 a process operator from the notorious K58 department was diagnosed with sinus cancer and died quite suddenly several months later. The victim was a non-smoker and activities involved entry into process vessels for the descaling of caustic residues. ³²¹⁵⁻³²²³

Meanwhile, the state government [department of health](#) agreed to further extensive investigations regarding exposure to environmental contaminants and the potential adverse [health effects](#). Alcoa responded with traditional and somewhat predictable [corporate grandiloquence](#) and claimed the health of its employees was paramount and remained totally committed to the safety of its refineries. It funded further studies via the [Alcoa Healthwise](#) program through the University of Western Australia and [Monash University](#). ³²²⁴⁻³²²⁸

This program failed to include contractors, which were a significant component of the Alcoa workforce and the health studies were unable to establish any causal nexus or offer significant conclusions. It produced a [sinister response](#) from Alcoa with confirmation that its [epidemiological studies](#) involving cancer and mortality rarely included contractors because of substantial methodological problems. Nonetheless, an extensive survey amongst Alcoa personnel at facilities in Victoria and Western Australia revealed above average incidences of [respiratory pleural cancer](#), melanoma and mesothelioma. An additional [independent study](#) disclosed serious health issues amongst former Alcoa contractors, which included abnormally high rates of genetic damage following exposure to toxic and [clastogenic](#) chemicals. ³²²⁹⁻³²³³

Despite the public outrage and controversy surrounding the [Kwinana](#) refinery, significant expansion occurred at [Alcoa Wagerup](#) during 1993, which was followed by the installation of a liquor burning facility. Before the burner became operational the [Wagerup](#) site received approximately 40 notifications each year that usually involved excessive noise or offensive odours. ³²³⁴⁻³²³⁶

After commissioning in 1996, [complaints](#) increased exponentially with almost one thousand reports, which included many adverse [health effects](#). Incidents involving several different employees were often allocated to a single event and records were amended and distorted accordingly. There were also escalating cases of [asset damage](#) to motor vehicles involving pitted windscreens and paintwork. In November 1997 the burner was shut down in an attempt to resolve the issue. Emissions reduction equipment was fitted and employee complaints decreased significantly. Nevertheless, a survey revealed almost half its workforce believed the [emissions](#) generated adverse health effects, which improved or disappeared following modifications to its liquor burner. Reaction from the [local community](#) remained resentful and suspicious, especially amongst [residents](#) in the tiny hamlet of [Yarloop](#) situated only two kilometres away. ³²³⁷⁻³²⁴⁴

In 2003 Alcoa envisaged further [expansion](#) of the Wagerup facility and increasing its annual production to 4.7 million tonnes, which required state government approval. However, the department of environmental protection admitted it was betrayed by Alcoa and an audit revealed it [deliberately suppressed](#) the extent of its [toxic emissions](#). The monitoring protocols were littered with significant anomalies, which included failure to measure atmospheric contaminants in the refinery's immediate environs, especially [volatile organic compounds](#). Its motives were somewhat sinister as it awaited state government approval of the \$1.5 billion expansion. [3245-3248](#)

Over the past decade the site had been inundated with community [complaints](#) and any dishonesty from [Uncle Al](#) came as no surprise to many of the beleaguered [residents](#) in nearby Yarloop. Even if environmental contaminants never exceeded prescribed limits the social impact was redolent of dissonance, depression and despair. Despite the [anomie](#) and deceit the state labour government under [Big Al Carpenter](#) approved the [expansion](#). The decision was condemned by many environmental activists and [local residents](#) although the project was eventually [suspended](#) following weakening demand and the volatility of financial markets. The [revolving doors](#) kept turning for the former premier who joined [Wesfarmers](#) as an executive general manager in corporate affairs. This insatiable quest for [economic growth and development](#) catalysed by rampant [neoliberalism](#) has brought heavy industry onto the doorsteps of many small communities throughout Australia. The eternal struggle between industrialism and the importance of people, place and profits must be negotiated equitably to achieve meaningful and ethical outcomes between the rival factions. [3249-3260](#)

Other projects which have generated significant media attention with extensive angst include the [Furukawa Electric Group](#) copper smelter in [Port Kembla](#). Many dissidents in the [Illawarra](#) region described its approval under [Bob Carr](#), the former labour premier, as legalised [gassing of residents](#). Meanwhile near [Wilpinjong](#) in New South Wales, the [local community](#) witnessed the arrival of [Mister Peabody's](#) coal train. The corporate behemoth owns all but four properties in the tiny hamlet of [Wollar](#), whilst its [parent company](#) in the United States has filed for bankruptcy. Over in Western Australia, [Kwinana](#) near Fremantle is colloquially termed the [capital of cancer](#) amongst its citizens. However evidence across Australia, especially in many [regional](#) centres such as [Gladstone](#), [Geelong](#), [Roma](#) and the [Hunter Valley](#), suggests the problem is more than likely a cancer of capital. [3261-3277](#)

Paradise - John Prine

<https://www.youtube.com/watch?v=XyPTIOJuWws>

When I was a child my family would travel
Down to Western Kentucky where my parents were born
And there's a backwards old town that's often remembered
So many times that my memories are worn

And daddy won't you take me back to Muhlenberg County
Down by the Green River where Paradise lay
Well, I'm sorry my son, but you're too late in asking
Mister Peabody's coal train has hauled it away
Well, sometimes we'd travel right down the Green River
To the abandoned old prison down by Airdrie Hill
Where the air smelled like snakes and we'd shoot with our pistols
But empty pop bottles was all we would kill

Then the coal company came with the world's largest shovel
And they tortured the timber and stripped all the land
Well, they dug for their coal till the land was forsaken
Then they wrote it all down as the progress of man
When I die let my ashes float down the Green River
Let my soul roll on up to the Rochester dam
I'll be halfway to Heaven with Paradise waitin'
Just five miles away from wherever I am

Safety culture - The magical mystery tour

See the mice in their million hordes from Ibiza to the Norfolk Broads

David Bowie ³²⁷⁸

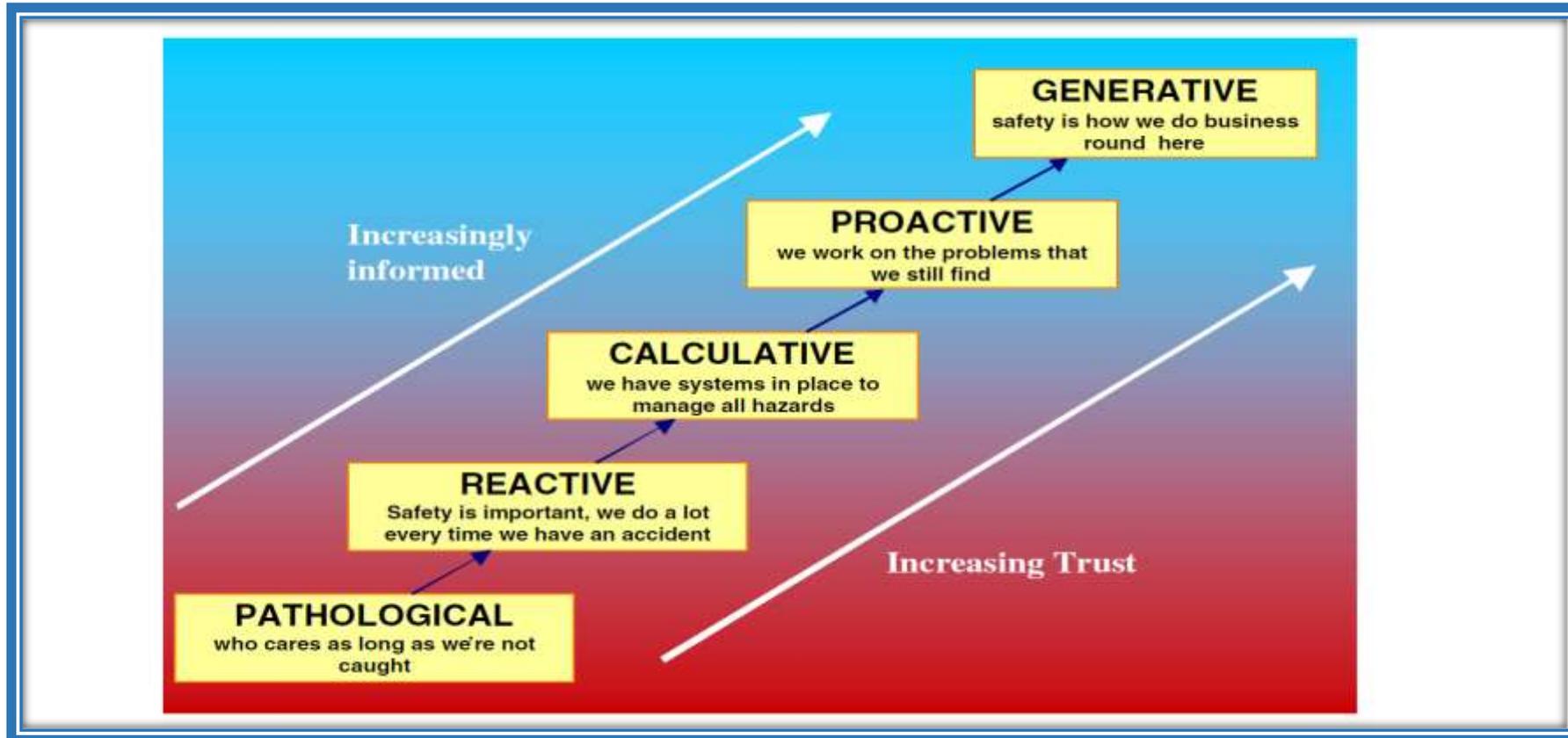
Safety culture like many soft system change management elements is somewhat vague and subject to definitional dilemma. It is often envisaged as a predictable and concrete entity that is easily managed and measured in isolation using psychometric safety culture **surveys**. This merely disguises the blame dichotomy and fails to provide a coherent explanation for malfunctioning technological systems. It often creates a cemetery of categorical data and populates project **risk registers** with an inordinate amount of emotional engineering or abstract nostrums and subliminally implies culpability. ³²⁷⁹⁻³²⁸¹

Strawberry fields forever

Safety culture is merely a component of a much broader **organisational culture**, which requires careful consideration of **soft systems** change management processes. Any attempts to control and manage such a frequently misunderstood concept may well result in undesirable consequences. This demands extreme caution using a process and evidence based transdisciplinary approach to remove much of the conjecture and supposition. It must target upstream with an emphasis on better design, restructuring and changing business systems and processes to dissolve emergent issues. This is reflected in **Gibson's** ecopsychology and **affordance theory** and much of the work from **Ackoff**. It also aligns with the principles of **operational excellence** and unique characteristics of **high reliability organisations**. ³²⁸²⁻³²⁸⁶

There is an intricate relationship between safety culture, structure and process and several quintessential concepts and selected tools are critically analysed by **Taylor**, which includes **Hudson's** cultural maturity model (**Figure 21**). **Hofstede's** framework for **cross cultural communication** describes how workplace values are influenced by culture at national and organisational levels using **cultural dimensions theory**. Much of the discussion ignites the nature or nurture debate and rekindles **C P Snow's** controversial **Rede lecture** covering the **Two Cultures**. Three distinctive cultural levels in organisational structures are identified by **Schein** and extensive rigorous analysis is provided by **Cameron and Quinn**. The intricate relationship between culture, structure and process is further explored by **Antonsen** and **Guldenmund**.....*Living is easy with eyes closed, misunderstanding all you see.* ³²⁸⁷⁻³³⁰³

Figure 21: Hudson's cultural maturity model



Hudson P. Safety Management and Safety Culture: The Long, Hard and Winding Road. 2001; pp. 03-32

(In: Pearse W., Gallagher C., Bluff L. (Eds.) *Occupational Health and Safety Management Systems*. Melbourne, Australia: Crown Content)

The [legislative framework](#) adopts a preventive, systematic and collaborative approach, which is reflected via [ISO 45001:2018 Occupational health and safety management systems - Requirements with guidance for use](#) and [ISO 31000:2018 Risk management - Guidelines](#). It provides a [formal structure](#), which is usually supplemented by core business processes to develop an organisational safety culture and tackle the [safe working environment or safer person](#) dichotomy and is reinforced via legislative [hierarchy of controls](#). The safe place approach uses [social engineering](#) techniques to create an [informed culture](#) with increasing trust and authentic inspirational attributes such as learning, flexibility, impartiality and genuine reporting. Safer person tactics place an inordinate reliance on [behaviourism](#), which [dehumanises](#) or transfigures people into a reducible quotient of a system's inputs and outputs and resembles a sterile accounts ledger. [3304-3313](#)

Both approaches embrace a didactic and superficial definition of [culture](#) as....*The way we do things around here*, which is compounded by an infallible dependence on [rational decision making](#). The binary discourse is exacerbated by an unwavering quest for perfection or [operational excellence](#) using blanket absolutes such as [zero harm](#). Its inordinate [objectivism](#) disregards [transdisciplinary](#) learning in favour of [indoctrination](#) and merely involves counting how many sheep we have left using [descriptive](#) categorical data. This is antagonised by unsubstantiated [cause effect](#) ideology without any measuring, [inferential](#) statistics, [hypothesis testing](#) or statistical significance in a futile attempt to make a [silk purse out of a sow's ear](#). [3314-3325](#)

A [safety cult](#) has emerged and embarked on an intransigent religious crusade with the denial of [fallibility](#) to eliminate risk. It relies heavily on [propaganda](#) and pious judgemental terminology featuring vague descriptors such as [unsafe](#) or dangerous. A mechanistic reductive paradigm of positivism has evolved with the worship of [sacred mantras](#), [religious artefacts](#) and establishment of [unachievable targets](#) to create a dysfunctional safety culture of [learned helplessness](#). Its myopic focus conceives decision making as purely rational, which vilifies risk and categorises harm as stupidity. It disregards any notion of [collective unconscious](#) or arational judgement and is littered with sinister [totalitarian](#) objectives. An obsession with compliance, enforcement, crime and punishment is evident, which is bereft of any sophistication. Its deification of objects usurps creativity, extirpates learning and drives the culpability carousel. This curtails liberty and...*Freedom is always and exclusively freedom for those who think differently*. [3326-3336](#)

Glass onion

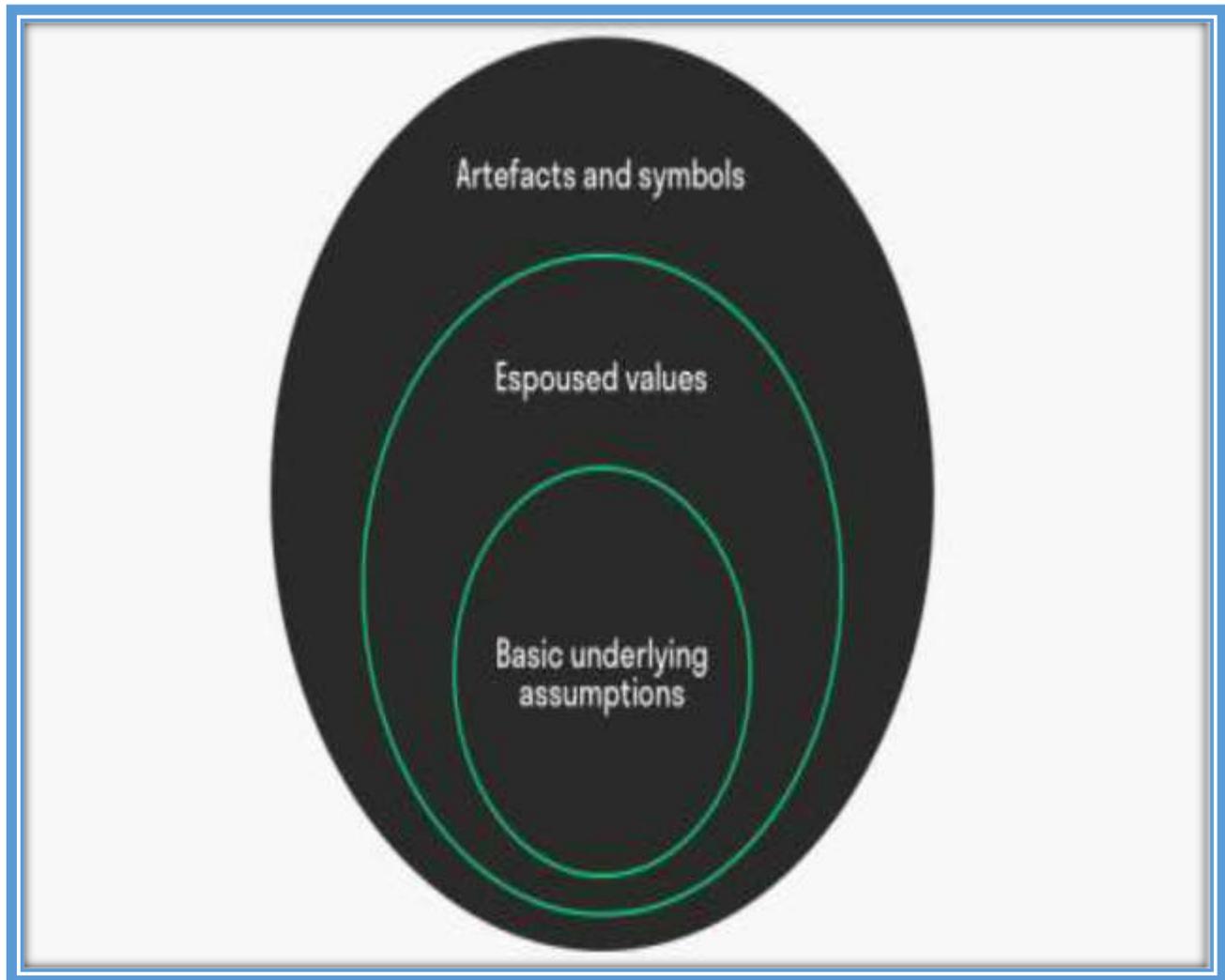
The [psychological](#) or safer person approach places an emphasis on employee perception and management of safety. It targets [attitude and behaviour](#) towards risk and is often referred to as the [safety climate](#) within an organisation. The engineering safe place paradigm is more concerned with the influence of [hard systems](#) management and a reliance on formal organisational structures, policies, procedures using [higher order](#) control mechanisms. This promotes a no person no problem taxonomy using engineering and [safe design](#) techniques to reduce the likelihood and consequences of [human error](#) and improve safety performance and culture. However, it should also be viewed from an [anthropological or social perspective](#) using [cultural theory](#) of risk. [3337-3345](#)

This provides a more [sophisticated view](#), which explores the intricate relationship of culture with its specific environment and it becomes a component of a much broader and deeper [organisational culture](#). It is an abstract concept that transforms as people establish new groups to create different cultures with tangible social consequences. Perhaps the most intriguing feature of [culture](#) is the dynamic influence of its many enigmatic or unconscious phenomena that guide or constrain the behaviour of particular [groups](#) via mutual conventions. Nonetheless, a meaningful analysis of complex or clandestine organisational features cannot be effectively accomplished using a [superficial or shallow definition](#). [3346-3350](#)

Culture can be [defined](#) as a pattern of shared basic assumptions, which are collectively acknowledged to successfully challenge exogenous and endogenous risks and generate an implicitly acceptable response. Furthermore, [leadership and culture](#) are conceptually [intertwined](#) and essentially two sides of the same coin. If a crisis or dispute arises that threatens survival it requires effective leaders at every structural level of the organisation to address the situation. [3351-3352](#)

Culture typically exists at [three principal levels](#) and includes [artefacts, espoused values and underlying assumptions](#) (Figure 22). This often mirrors shared learning experiences or [collective coherence](#), which eventually determines much of the group's behaviour and establishes a socialisation process or [community of practice](#). The [incidental learning](#) or [tacit knowledge](#) is grasped by novices, apprentices or future generations and becomes an implicit reflection of organisational culture. [3353-3359](#)

Figure 22: A glass onion



Organisational culture model (Edgar Schein) Available from:

<https://www.toolshero.com/leadership/organizational-culture-model-schein/>

Confusion surrounding the perception of [organisational culture](#) often occurs from a failure to establish the [precise level](#) where it manifests, which ranges from an overt superficial patina of artefacts to the quintessential deeply embedded and often unconscious [basic assumptions](#). Between these extremes lies a myriad of espoused values and beliefs that organisations, groups and individuals use to depict its culture. The basic assumptions are entrenched values or [shibboleths](#) and any transgressions are often considered reckless or even [sacrilegious](#), which typically leads to excommunication and [dismissal](#). ³³⁶⁰⁻³³⁶⁵

I am the walrus

[Artefacts](#) are readily visible throughout most organisations but are often a superficial veneer of respectability, which are [easy to observe yet difficult to decipher](#). These include many obvious features such as [indoctrinating inductions](#), [warning signs](#), [safety slogans](#), rituals, ceremonies, attire, etiquette and official language including professional terms of endearment or conventional dialect. It establishes an esprit de corps although it is quite a complex exercise corroborating artificial or ambiguous symbols with [basic underlying assumptions](#) and extensive analysis is required at much deeper levels. ³³⁶⁶⁻³³⁷²

All you need is love

Espoused beliefs and values include [policies](#), [good governance](#) principles, [organisational codes of conduct](#), standards and procedures. It is critical how organisations [communicate](#) philosophy, strategies and objectives or problems will arise when aspirations of its leaders are incongruous with basic assumptions. [Inconsistencies](#) frequently emerge throughout industrial safety via vacuous statements such as [zero harm](#) or [safety is our number one priority](#) yet the mercenary [Friedman doctrine](#) on [corporate social responsibility](#) often prevails. ³³⁷³⁻³³⁸²

Your mother should know

Basic underlying assumptions form around [deeper dimensions](#) of human existence and are generally considered as incontestable or sacrosanct. They usually evolve following solutions to problems, which have been repeatedly successful and a hypothesis supported only by instinct or value becomes reality. Individuals and groups strive for stability or meaning and will often distort or [manipulate data](#) to avoid changing [basic assumptions](#), which is an extremely tedious challenge. It is fraught with complexity and generates incalculable frustration....*I told you about strawberry fields, you know the place where nothing is real.* ³³⁸³⁻³³⁸⁷

Fool on the hill

The [Safety Institute of Australia](#) is in a crisis of its own making and has lost any skerrick of integrity because of its [bad faith](#) and lack of principles. It has been operating in an echo chamber for so long that its acolytes only hear each other's propaganda. Meanwhile the silent majority of peons inveigled by debt, has abandoned any prospect of meaningful social reform to stem the holocaust of workplace injury, illness and disease. [3388-3390](#)

[Propaganda](#) involves the ideological manipulation of ideas using indoctrination to support or defend political interests via suppression and exclusion. It relies heavily on naivety, obedience, compliance and lack of discernment to deceive, convince and confuse the laity. This is ineffective without communication and the transfer of knowledge, which usually involves distortion of the truth with no [respect](#) for integrity. Indoctrination inculcates beliefs using devious tactics with an inordinate focus on power, control, fear and deception. This technique is often confused with learning and it is evident throughout countless workplace safety inductions via beguiling mantras such as.....[Zero harm, all accidents are preventable and safety is a choice you make.](#) [3391-3393](#)

In recent years, the ubiquitous and pestilential concept of [zero harm](#) has been introduced into corporate safety strategies and provokes heated debate to rival the nature or nurture polemic. It emerges in [operational excellence](#) and [six sigma](#) with its unremitting pursuit of perfection via continuous improvement and the aspirational goal of zero defects. This is a symbolic gesture and [soft systems](#) change management process, which focuses on meaning and culture in organisations. It enables leaders and managers to shape values and beliefs and build spirit through ritual and ceremony. [Vision zero](#) is another example of emotional engineering, which is relentlessly promoted by statutory authorities, industry associations, peak representative bodies and executive leaders. It creates a calculative culture and furtively advocates deregulation. This focuses on the absence of injury or harm and cultivates pettifoggery and political chicanery, which involves moving goalposts or manipulating data to meet project performance indicators. It eventually erodes trust and destroys motivation, learning and legitimacy. [Vision zero](#) is an asinine shibboleth that displays zero vision and creates [binary](#) black and white oppositional dialogue. There are no shades of grey and the adversarial fiat.....*If you are not with us, you are against us* often prevails. [3394-3404](#)

Organisations that adopt this blind faith ideology are reminiscent of the sepulchral city in [Joseph Conrad's Heart of Darkness](#). An alabaster exterior of perfection disguises a crypt of rotting flesh with the ganglions of blame, fear, retribution, despair and anomie festering below the surface. It is merely a superficial quest for moral high ground that depicts a palliative chimera of humanitarian compassion and soteriology but the reality is quite different. It surreptitiously disguises deregulation and a laissez faire doctrine that creates absolute power, which corrupts absolutely. [3405-3407](#)

A brutal totalitarian regime prevails ruled by hatchet faced martinets who are deceptively portrayed as torchbearers. However, they are merely socially autistic mercenaries with a treacherous tyrannical temperament underpinned by hubris, power and control. The discourse of [zero harm](#) is littered with authority, absolutes, regulations, compliance and enforcement. It is bereft of any flexibility or discretion and extenuating circumstances are almost immaterial. This centralises supremacy with a complete disregard for human [fallibility](#), continual improvement and the complexities of [decision making](#), which eventually extirpates learning, ownership, care and integrity.....*Nothing can come of nothing*, said King Lear. [3408-3411](#)

[Zero harm](#) is redolent of [Orwellian newspeak](#) or [doublethink](#), which intentionally obscures and distorts the meaning of words using anodyne officious jargon to masquerade hidden agendas. It is often supplemented by a deluge of confected grief with an interminable reparation process. This diffuses and defuses outrage into divisive and innocuous channels of bureaucracy, which socially engineers the laity into passivity, compliance and obedience to the orthodoxy. The ideology has achieved cult status and the blind faith was displayed in all its fervent splendour at the recent [World Congress](#) on Safety and Health at Work in Singapore. It was pure political pageantry and corroborated by a [Vision Zero](#) theme which.....*Aims to inculcate a mindset that all injuries and ill-health arising from work are preventable.* [3412-3415](#)

The [Vision Zero](#) sermon was piously and unremittingly promoted throughout the entire crusade with faith based statements, which were supplemented by allegory and colossal billboard iconography. An unrelenting indoctrination process involved total absorption via standard social psychological techniques such as [groupthink](#), [affect heuristic](#) and [conformity bias](#). Its fundamentalist ideology was underpinned by fear of harm and supported by semantic conformance and obedience using language of perfection and intolerance.....*If you're happy and you know it clap your hands.* [3416-3419](#)

Most [propaganda](#) displays familiar traits of oppressive ideology and the zero vision juggernaut is certainly no exception. The lexicon is extremely political, adversarial and devoutly religious. It is littered with emotive and iconic terminology and much like war, its first casualty is the [truth](#), which is often disguised via vague, bewildering and contradictory statements. Its utopian promises and absolute descriptors disregard [fallibility](#) and the ultimate trajectory is dehumanisation. This absurd ideology with its linguistic design restricts freedom of thought and discernment. It generates cynicism with its inordinate focus on objects and statistics, which eventually destroys learning.....*Political language is designed to make lies sound truthful and murder respectable and gives an appearance of solidity to pure wind.* ³⁴²⁰⁻³⁴²²

The [Safety Institute of Australia](#) and its bedwetting acolytes contributed to the [doublethink](#) enigma with a formal presentation to promote successful examples of [zero harm strategies](#). However, it somewhat deceptively claims an [agnostic](#) stance on the ideology. Opposition to [zero harm](#) especially amongst corporate behemoths, generates emotional outrage and antagonists are categorised as heretics or infidels and excommunicated from the fold. Any skerrick of dissent is ruthlessly crushed with clinical totalitarian determination and ambivalence or denial is considered sacrilegious and tantamount to corporate suicide. ³⁴²³⁻³⁴²⁴

[Zero harm](#) is often supplemented with additional organisational development techniques, which include role negotiation, inter group confrontation, organisational mirroring, fish bowling, team building and cultural surveys. Like many soft system features, it is rather vague and subject to definitional dilemma. It is an oppressive ideology, which is perceived as a numerical target and is deeply embedded in [accident theory](#) with its black box psychology of behaviourism. This creates a miasma of blame, fear and retribution with....*The man of a thousand voices talking perfectly loud.* ³⁴²⁵⁻³⁴²⁹

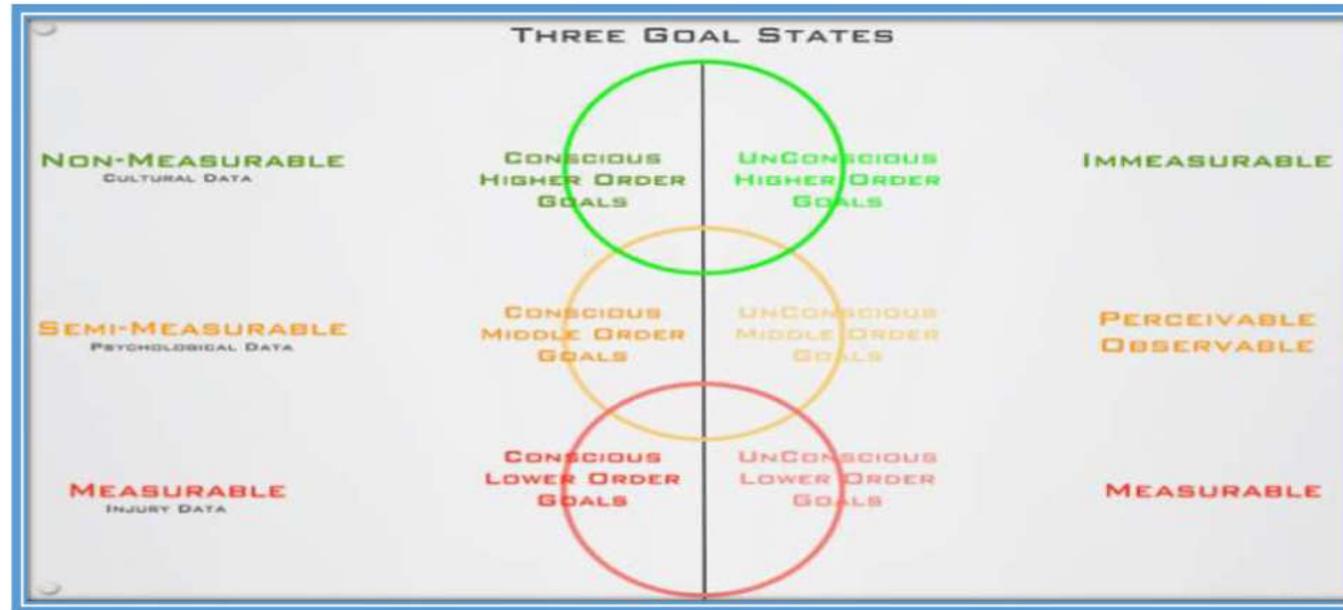
Vision zero is incompatible with quality management principles and several of the fourteen points for the [transformation](#) of management. These include avoid using numerical targets or quotas and remove slogans imploring employees to achieve unrealistic goals. An obsessive pursuit of perfection or infallibility creates [maladaptive anxiety](#), pettifogging and [apophenia](#), which cultivates under reporting and avoidance. It also amplifies trivial issues, exaggerates criticism and is inconsistent with [Kaizen](#) principles. After achieving a target of [zero harm](#) it is quite reasonable to ask where to next?*The essence of being human is that one does not seek perfection.* ³⁴³⁰⁻³⁴³⁵

Lucy in the sky with diamonds

The aphorism... *What gets measured gets done* is often reiterated during discussions on performance indicators but it is somewhat naïve to believe the establishment of goals is a simple and objective activity. It places an inordinate emphasis on objects with targets that can be easily measured and eventually debilitates and dehumanises society leaving behind a data cemetery full of trivia. Indeed, the elusive attributes of wisdom, loyalty, discernment and other ethical qualities are often scorned and categorised as gratuitous impediments in the current ruthless neoliberal climate of casino capitalism. This narrow inhumane focus destroys ethereal features such as creativity, imagination, motivation, compassion, integrity and care and creates irrevocable and counterproductive consequences. ³⁴³⁶⁻³⁴³⁹

Goal setting is a complex exercise covering several dimensions, which consist of three principal states that require a diverse range of measurement techniques (Figure 23). Goals normally adopt a promotional or preventive focus and are interactive and competitive. Lower order goals are often easier to establish and can be measured quantitatively, whereas middle order targets are determined semi-quantitatively. Higher order goals are invariably prodigious, aspirational and generally intangible. During the allocation of goals it is worth evoking that actions generate side effects and values are caught not taught. Most behaviour is generated subliminally and every conscious goal has an **unconscious** corollary, which affects human, physical and financial resources. A relentless pursuit of perfection with lower order goals can generate **measurement myopia**, **analysis paralysis** and symptoms of **apophenia**. This includes **overfitting**, **gambler's fallacy**, **answer shopping** or **confirmation bias**. It also advocates **single loop training** and **Pavlovian conditioning** and a calculative tenacity evolves. Statistics are manipulated to meet goals and rather than evaluate what is beneficial, the emphasis transfers to trivial parameters that are easily measured and the metric gets managed instead of performance. The traditional **SMART** approach when establishing lower order goals is conveniently disregarded in favour of aspirational, unachievable and absolute ideological targets such as **zero harm**. This perfectionist language with omnipotent and omniscient attributes is a recipe for depression, anxiety and frustration. It grooms failure, denies **fallibility** and eventually extirpates **imagination**, learning, wisdom and discernment.....*Picture yourself in a boat on a river with tangerine trees and marmalade skies. Somebody calls you, you answer quite slowly, the girl with kaleidoscope eyes..* ³⁴⁴⁰⁻³⁴⁴⁷

Figure 23: Human goal states



Tackling Risk: A Field Guide to Risk and Learning - Dr Robert Long and Roy Fitzgerald

(After Figure 7 p. 14)

Available from: <https://safetyrisk.net/the-tyranny-of-metrics/>

Every major coal seam gas construction site in Australia used contingent labour hire, which required accommodation and catering facilities. At one project a catering assistant was cleaning galley benchtops and inadvertently placed his hand into a pot of boiling water. The burns required specialist treatment and the victim was transferred to a regional hospital using a Medivac helicopter and it was recorded as a lost time injury. The foreseeable political chicanery was as equally prompt, clinically efficient but somewhat unethical. Professional [ethics](#), which are paramount amongst emergency response crews, paramedics and other health care providers were nonchalantly disregarded by executive leaders and corporate safety's careerist zombies. [3448-3449](#)

The incident was obviously work related but which department carried the stigma was soon resolved by moving goalposts and increasing bureaucracy. It occurred in the camp kitchen and was conveniently categorised as unrelated to the construction project. This protected reputations and preserved the project's [zero harm](#) ideology, which appeased the executive leaders and secured their gratuitous project bonuses. Meanwhile, the subsequent [root cause analysis](#) or [auto da fé](#) inevitably blamed the victim. This was not an isolated occurrence and it is common practice with facilities management organisations in accommodation camps, especially with musculoskeletal disorders. [3450-3452](#)

Another extraordinary initiative included a frivolous attempt to assess safety culture on a particular coal seam gas construction site. This involved an electronic survey using iPads, which were strategically mounted around the project office concourse. Employees provided a response to ten binary questions, which were reviewed each week to measure the project's safety pulse and results were distributed to executive leaders. The initial survey produced an unexpected outcome when a significant proportion of employees categorised the project as unsafe. This created [maladaptive anxiety](#) amongst executives but not one leader challenged the data validity. However, further investigation and questions regarding [exploratory data analysis](#) and [statistical significance](#) produced a bewildering gape from the lickspittle safety crusader who promoted and sanctioned the survey but was incapable of reading without moving his lips. The solution involved reframing questions and repeating the proselytization until the leadership team received the results it wanted. In an era of artificial intelligence, algorithms and electronic surveys, this futile [displacement activity](#) reinforced that worthless statistics are considered better than no data at all. [3453-3458](#)

Mean Mr Mustard

In any discussions on leadership the subject of [microdamagement](#) inevitably arises and is accentuated by the traditional hero worship myth. Micromanagers invariably take credit for successful ventures but blame is soon deflected onto subordinates when strategies fail. Other prominent features include impetuosity, insecurity and immaturity. Data transmission overwhelms communication and the amount of emails generated is inversely proportional to the knowledge of their portfolio. It undermines work health and safety performance and totalitarianism becomes synonymous with leadership, which creates a culture of risk aversion. The quest for perfection under the rubric of [zero harm](#) or all accidents are preventable has generated even more blame, intimidation and pettifogging. [3459-3461](#)

Coal seam gas projects in the eastern region of the [Surat Basin](#) were subject to intensive micromanagement. Site access from Brisbane was easily accomplished via a direct charter flight and executive leaders could visit several projects on a whistle stop tour. This fulfilled allocated performance indicators with a return flight home on the same day. Access to the western region involved a flight to [Roma](#), a lengthy drive and overnight accommodation in a construction camp and visits from corporate leaders became infrequent with less scrutiny. The difference in culture at respective sites was significantly noticeable. Projects in the eastern region were seething with discontent, blame, intimidation and fear. In the western district a zone of reciprocal relationship was evident and leaders relinquished and received power with a [deference to expertise](#). [3462-3465](#)

As projects wound up the dominance of joint venture partner [ConocoPhillips](#), with its militaristic structure, became increasingly hostile. Indeed, the final project in the western region was ironically self-proclaimed as the jewel in the crown but it rapidly deteriorated into a totalitarian regime with a quagmire of malevolent bureaucratic frustration. One employee was reprimanded by a corporate safety manager for wearing tinted safety glasses at a dawn prestart meeting and received an official warning. A radio repeater for initiating emergency response was stolen from the project first aid room and probably ended up on an electrical contractor's fishing boat. Ethics in leadership is discovered through honesty with risk and there is no leadership in [micromanagement](#), which destroys momentum.....*It's a terrible situation to look over your shoulder when you are trying to lead and find no one there.* [3466](#)

Maxwell's silver hammer

Almost one year into a coal seam gas construction project a major contractor decided to reinvigorate its corporate strategy, attenuate [zero harm](#) and embrace [safety differently](#). This consisted of three fundamental tenets, which stated that safety was about the presence of positives, people were the solution and it was an ethical responsibility downwards, not bureaucratic. It was implemented by the project safety manager at an operational level in conjunction with a convoluted *Excellence in the Basics* program. This included safe work method statements, job safety analyses and task hazard analyses and take five protocols. [Permits to work](#) were also required for nominated activities. It was antagonised by a [behavioural safety](#) program and supervisors were allocated two safety observations each week in an obsessive pursuit of unsafe acts. Lovely Rita, a safety administrator monitored compliance and individuals were reprimanded at weekly kangaroo courts for finding insufficient unsafe acts and failing to meet prescribed targets. This was incongruous with the fundamental tenets of the corporate safety strategy and a rotten stench of [accident theory](#) prevailed. The strategy was ineffectively communicated by a socially autistic project safety manager, who was unaware of the significant differences between risk and [accident theory](#). [Safety differently](#) was indeed an appropriate epithet but it created confusion, distrust and resentment. It demonstrated that the alignment of business systems and processes is critical throughout every structural level of the organisation. [3467-3471](#)

Carry that weight

The malodorous symptoms of blame, fear and retribution are often associated with the miasma of atavistic [accident theory](#). It is exacerbated by autocratic organisational structures, using adversarial legislation and standard operating procedures, which are written to protect the writer. Following workplace fatalities a heated debate about statutory legislation, criminal [negligence](#) and justice or closure inevitably arises. In primitive tribal societies retribution is often swift with fatal consequences. However, in civilised countries closure is confined to an intimidating courthouse. It is merely a prolonged and codified carousel of culpability and the only parole for the bereaved is death or dementia. The resources would be much better deployed with a preventive upstream focus on better design to reduce risk and eliminate the anguish and lingering pain of bereavement. [3472-3474](#)

Crisis? What crisis?

Man will never be free until the last king is strangled with the entrails of the last priest

Denis Diderot ³⁴⁷⁵

During the 1970s the UK experienced the best of times with the lingering aftermath of the [swinging sixties](#) and the [worst of times](#). A decade beset by unemployment, industrial strikes, civil unrest and power cuts included the notorious [winter of discontent](#) with an emergence of [populist](#) politics. The disenchanted electorate exhausted by decline from [stagflation](#) and failure of [Keynesian economics](#) turned to [Margaret Thatcher](#) for salvation and chose the low road of blame and fear. This coincided with the long march of [neoliberalism](#) in the United States, which advocated a merger of state and corporate interests to align with [Machiavelli's](#) meme....*Keep your friends close and enemies even closer*. It embraced free market ideology with a [laissez faire](#) doctrine from the [Chicago school of economics](#) via its profits of cents, which included [Ludwig von Mises](#), [Friedrich Hayek](#) and [Milton Friedman](#). ³⁴⁷⁶⁻³⁴⁸⁹

Seasons in the sun

The current dominance of corporate enterprises within US politics is reminiscent of the [Gilded Age](#) and involved intensive lobbying via the [Lewis Powell](#) memorandum with [regulatory](#) and [policy](#) capture. It was a [corporate blueprint](#) to usurp democracy and counteract many of the progressive social reforms advocated by [Ralph Nader](#) during the 1960s, which exposed the turpitude of [General Motors](#) and established a national consumer campaign. This provoked an overwhelming and sustained offensive from corporate America via Alcoa executive [John Harper](#) and [Bryce Harlow](#), a lobbyist for [Procter and Gamble](#). More fervent and radical [support](#) followed through the [American Enterprise Institute](#) under [William Baroody Sr.](#) Resplendent corporate offices appeared along [Massachusetts Avenue](#) near [think tank row](#) in the [Washington DC](#) swamp adjacent to [Capitol Hill](#). Noisy though rather influential neighbours included the [Heritage Foundation](#), the [Cato Institute](#) and the [Bryce Harlow Foundation](#), which was established in 1982 to advance business and government relations and promote.....*Integrity in professional advocacy*. It is Orwellian doublespeak for corporate malfeasance or [kleptocracy](#) and encourages profit via plundering the planet with the [exploitation](#) of vulnerable workers, [erosion of labour standards](#) and [tax evasion](#)....*War is peace, freedom is slavery and ignorance is strength*. ³⁴⁹⁰⁻³⁵¹⁴

The relentless campaign intensified during the [Thatcher and Reagan](#) alliance using the sophism of [trickle-down economics](#). It increased exponentially via unfettered [globalisation](#) fuelled by rapid developments in information technology and electronic communication networks. Its intent was ruthless, especially throughout [Chile](#) in South America, which experienced a brutal [coup d'état](#) with the overthrow of its socialist leader, [President Salvador Allende](#). The ideology was enthusiastically welcomed amongst many western democracies, which included the [Hawke](#) and [Keating](#) labour governments in Australia. It gathered increasing momentum under the neoliberal [John Howard](#) regime with its draconian and extremely unpopular [work choices](#) legislation and subsequent dissolution of the truly independent [National Occupational Health and Safety Commission](#). ³⁵¹⁵⁻³⁵²⁵

From 2007 the symbolic, acquiescent and [economically conservative](#) labour governments under [Kevin Rudd](#) and [Julia Gillard](#) were preoccupied and constrained by the [global financial crisis](#). Any attempts at meaningful reform including [harmonisation](#) of work health and safety legislation were somewhat superficial and in 2013 the populist politics of fear resurfaced via a liberal national coalition under the pugilistic mad monk, [Tony Abbott](#). Its primitive low road gutter sniping tactics were supplemented by [sloganeering](#) and an inordinate preoccupation with blame, nationalism, immigration and terrorism. Amidst the [cuckolding](#), [philandering](#), [bacchanalia](#) and [disunity](#), boom turned to bust and growth stalled with increasing inequality, stagnant wages and [escalating debt](#)... *We had joy, we had fun, we had seasons in the sun but the wine and the song like the seasons have all gone.* ³⁵²⁶⁻³⁵³⁸

Without any stature or charisma the current crop of douchebag [cabinet ministers](#) are reminiscent of deflated party balloons and bereft of any leadership attributes as the government lurches from one crisis to another. Statistics are manipulated to protect reputations and preserve the [free market ideology](#) with its escalating oppression on the [road to serfdom](#). Meanwhile, federal and state governments conspire with corporations and resort to every conceivable scam in their bag of tricks to sustain growth with record profits. This includes cash [bailouts](#), [quantitative easing](#), reduced taxes and extraordinary [low interest rates](#) supplemented by extreme [austerity measures](#) to socialise deficits. However, funding growth via debt driven deception or subterfuge is unsustainable and as the economy tanks, neoliberalism with its free market ideology inevitably degenerates into ruthless [catabolic capitalism](#)..... *To live beyond the law you must be honest.* ³⁵³⁹⁻³⁵⁴⁷

Friedman doctrine

Catabolic capitalism is an inevitable trajectory of the mercenary [Friedman doctrine](#), which promotes a [free market ideology](#) and shareholder approach to [corporate social responsibility](#) with the primary objective of maximising profit. It advocates [corporations](#) direct its resources solely towards [profitability](#) and avoid the imbroglio of social or community issues, which eventually propagates oppression. The organisation accepts no [social](#) or [moral](#) responsibility towards society and it is transferred to shareholders who receive a proportion of profits as a reward for their investment and undertaking the concomitant risk. It is somewhat incongruous with common law [duty of care](#) and hardly reflects the [object](#) of preventive work health and safety legislation. Indeed, [risk](#) is essentially subjective and [socially constructed](#) although [current curricula](#) for [accredited](#) work health and safety tertiary education [programs](#) across Australia are inordinately objective. Its [positivism](#) reflects and aligns with the sacred [Friedman doctrine](#) in an exasperating and futile attempt to [square the circle](#). ³⁵⁴⁸⁻³⁵⁶³

The laissez faire philosophy merely dumps a kentledge of [red tape](#) downstream and establishes a [tyranny of bureaucracy](#) in an incompetent struggle to demonstrate [due diligence](#) via superficial administrative nostrums. Moreover as growth stalls, the [corporation](#) with its pathological pursuit of profit and power creates a dystopian [psychopathocracy](#), which the [entrepreneurial economists](#) aspired to prevent. In many cases it degenerates into [catabolic capitalism](#) or even [kleptocracy](#), especially throughout [developing nations](#). ³⁵⁶⁴⁻³⁵⁷²

Catabolic capitalism

Any [society or economy](#) that fails to develop is destined for premature extinction and transnational corporate pirates continue [plundering](#) the planet's finite resources, which jeopardises survival of future generations. Critics claim [globalisation](#) has generated extraordinary wealth and power for only a [diminutive fraction](#) of the global population and subservient vestiges of humanity remain desperate and destitute. Even in a contracting economy, capitalism flourishes and remains remarkably resilient but creates a miasma of devastating social consequences. The misery is often antagonised by [gambling](#), [prostitution](#), [alcohol](#) and [other drugs](#) with [suicide](#) and gratuitous [domestic violence](#). It is frequently and dramatically interpreted by many screenwriters, playwrights and novelists including [Jimmy McGovern](#), [Mark Herman](#), [Alan Bleasdale](#), [Ken Loach](#) and the late [Alan Sillitoe](#). ³⁵⁷³⁻³⁵⁸⁷

Under [Thatcher's](#) elective dictatorship, deprivation, angst and [existentialism](#) became [widespread](#) across most [sink housing estates](#) in [metropolitan cities](#) throughout northern England and was intensified by her much maligned and monotonous war cry..... *There is no such thing as society*. Many advocates of [globalisation](#) and [capitalism](#) underestimate its sheer [brutality](#), which is often evident in the trade and perpetual war on [illicit drugs](#) or narcotics via its obsession with power and addiction to profit. [Adam Smith's invisible hand](#) of [capitalism](#) is a contiguous assassin with the sole objective of increasing return on invested capital. There is no concept of [liberty, equality or fraternity](#) and issues such as justice, [human rights](#), [democracy](#), dignity, [ecological sustainability](#) and harmony are vilified as superfluous impediments. [Capitalism](#) will simulate loyalty to fulfil its objectives or betray allies instantly if there is a soupçon of boosting the bottom line and enhancing profit. ³⁵⁸⁸⁻³⁶⁰⁵

It is during a crisis or conflict, especially following the [collapse](#) of [financial services](#), [manufacturing](#) and other productive sectors that its venality remains unsurpassed. An [autophagous](#) process evolves as crepuscular and vituperative opportunists emerge from the shadows and flourish amidst the misery, despair and [anomie](#). Sufficient evidence is provided with the demise of [Queensland Nickel](#) under a porcine and socially autistic [Clive Palmer](#), [aided and abetted](#) by the fugitive [Falstaffian](#) director, [Clive Mensink](#). The malaise is also prevalent throughout the [franchising](#) sector with its oppressive [business models](#) and [unjust agreements](#). Noteworthy examples from across Australia include [Domino Pizza Enterprises](#) and [7-Eleven](#) convenience stores with the exploitation of [vulnerable migrants](#) and the collapse of many [Retail Food Group](#) outlets. ³⁶⁰⁶⁻³⁶²¹

[Catabolic capitalism](#) thrives on conflict and crime during a crisis and accumulates [substantial profits](#) by circumventing legislation and stockpiling scarce resources or commodities. Assets are stripped and equipment is sold at clearance sales whilst defenceless employees facing the bleak prospect of [prolonged unemployment](#) receive subsistence wages as sites are placed under care and maintenance. If the recession bites and profits dwindle, transnational conglomerates soon discover grand [economies of scale](#) and [global production facilities](#) become provisional liabilities or a [material risk](#). The inevitable [mergers and acquisitions](#) are followed by [factory closures](#), [forced redundancies](#) and pilfering of [entitlements](#) to remain solvent. ³⁶²²⁻³⁶³¹

Scavengers or speculators using borrowed cash purchase abandoned factories or warehouses, which are often riddled with asbestos contaminated materials. Residual assets including plumbing, air conditioning and electrical fittings are removed and sold for scrap before they are pilfered. The dilapidated premises are given a lick of diluted distemper by exploited immigrants and leased to [community welfare groups](#) and other [not for profit organisations](#) that provide shelter or respite for [fringe dwellers](#), [homeless alcoholics](#), itinerant prostitutes and drug addicts. Surveillance cameras scan leased and sadly neglected parking lots, which are enthusiastically patrolled via private security firms with redneck [tow truck operators](#) from the tattoos to teeth ratio taskforce using pit bull terriers and compulsory baseball bats. [3632-3636](#)

Out of necessity or desperation catabolic capitalism encourages [moonlighting](#) and a [black economy](#) proliferates supplemented by payday loans or [predatory lending](#) using [buy now pay later](#) hire purchase schemes with extortionate [interest rates](#). This is fortified by intimidating [debt collection](#) agencies as the [soft power](#) of a sinister [cashless society](#) invigorated by readily available credit augments an [elective dictatorship](#). Impoverished families and their siblings reluctantly surrender to [indentured servitude](#) for the settlement of accrued [generational debt](#) that inevitably escalates when the economy stabilises and interest rates climb. It merely encourages ruthless exploitation of peons by rapacious corporate gangsters to boost profits in a determined, iterative and reckless [race to the bottom](#). Former public servants with regulatory authorities are engaged as influential corporate lawyers or lobbyists via an enigmatic network of [revolving doors or golden escalators](#). Governments are persuaded via [integrity in professional advocacy](#) to temper justice and [regulatory](#) or [policy capture](#) prevails. This undermines established preventive mechanisms, protocols and social welfare systems to stoke the [corporate monster's](#) insatiable appetite for profit and power. [3637-3653](#)

Structures that once offered some degree of protection from [pollution](#), [unsafe work practices](#) and other corporate crimes are eviscerated and emasculated and the remaining panjandrums provide a veneer of respectability without any rectitude or real power. The contraction eventually degenerates into a [cataclysmic meltdown](#) and businesses, consumers, [homeowners](#), [students](#), [governments](#) and [banks](#) are unable to service mounting debt via interest payments. Systemic defaults cause the [financial system](#) to implode and credit freezes. Assets evaporate and the entire edifice once considered [too big to fail](#) resembles a [house of cards](#) built on a flood plain. [3654-3663](#)

A day in the life

The recent spectacular collapse of [Carillion](#), a transnational facilities management and construction services company in the United Kingdom was described as an unprecedented [trading liquidation](#) with liabilities of almost £7 billion. The organisation was established in July 1999 and via a series of aggressive strategic acquisitions it became the nation's second largest [construction company](#) with approximately 43,000 employees. ³⁶⁶⁴⁻³⁶⁶⁶

Despite several reservations regarding its [extreme financial predicament](#) the company continued trading until it went into [compulsory liquidation](#). The [catastrophic failure](#) and insolvency led to multiple [parliamentary inquiries](#) with penetrating questions regarding the woeful performance of directors and egregious theatre from its internal and external [auditors](#). The government's [privatised outsourcing](#) of public service schemes and Carillion's dark alliance and unhealthy relationships with regulators received excoriating condemnation. Its [collapse](#) was a litany of [recklessness, hubris and greed](#) underpinned by an assiduous mercenary business model, which was exacerbated by impulsive acquisitions and escalating debt. It also involved rampant exploitation of suppliers and impetuous expansion into new markets without any concept of [due diligence](#). Authorised accounts substantially misrepresented commercial reality and [annual dividends](#) increased come hell or high water at the expense of funding [pension schemes](#). Even during the airing of its dirty linen, [executives](#) were more preoccupied with increasing or securing their gratuitous performance bonuses. Its leadership team was merely a cast of [delusional](#) characters.....*Oh the buzzin' of the bees in the cigarette trees and the soda water fountain, where the lemonade springs and the bluebird sings in the [Big Rock Candy Mountain](#).* ³⁶⁶⁷⁻³⁶⁸⁰

[Internal](#) and [external](#) auditing was handled by the [major](#) accounting firms of [Ernst & Young](#), [Deloitte](#), [KPMG](#) and [Pricewaterhouse Coopers](#) (PwC), who provide an extensive range of assurance services for public companies or private organisations. Evidence during a [parliamentary inquiry](#) suggests the [multimillion dollar charade](#) was a colossal and sentimental waste of time and money that merely offered [superficial guarantees](#) to investors, employees and the general public. Many shareholders and employees recognised the exogenous and endogenous risks but systemic inertia from Carillion executives and its torpid auditors aggravated by [chronically passive regulators](#) enabled the [scatological](#) storm. ³⁶⁸¹⁻³⁶⁹²

During one of many intense exchanges throughout the inquiry a [labour party minister](#) stated...*He wouldn't allow [KPMG](#) to do an audit on the contents of his fridge.* The symbolic saccharine coated ritual provided a predetermined outcome for the client and substantial remuneration for the auditor. In June 2018, a [report](#) from the [National Audit Office](#) criticised the government's handling of the collapse with its dilatory response and abject failure to detect fundamental [financial irregularities](#) involving a critical strategic supplier. [PwC](#) will collect almost £50 million for handling the liquidation although its activities were considered a potential [conflict of interest](#). Its [acclaimed professional services network](#) supported the extravaganza with lucrative corporate guidance and strategic direction and then received millions unravelling the fiscal entrails and cleaning up the dung heap after the circus left town.....*For the benefit of Mr. Kite there will be a show tonight on trampoline.* ³⁶⁹³⁻³⁷⁰¹

Several of the major auditing conglomerates involved in the Carillion debacle provided assurance services to the Australian federal government during implementation of its beleaguered [home insulation program](#). Furthermore, Queensland government [self-insurance](#) arrangements using [accredited auditors](#) failed to identify an [operational risk](#) of respirable dust in underground coal mines. It has resulted in the resurgence of black lung with over 120 confirmed cases of [mine dust lung diseases](#). The independent [JAS-ANZ scheme](#) using surveillance and recertification audits by [conformity assessment bodies](#) with certified auditors was as equally ineffective. The recent Queensland [Dreamworld](#) coronial inquest also identified significant [anomalies](#) with auditing and amusement theme park [certification](#) schemes. ³⁷⁰²⁻³⁷¹¹

A joint parliamentary select committee described Carillion executives as [fantasists chasing a pot of gold](#), which involved fiscal chicanery, aggressive accounting and juggling chainsaws in a ruthless dash for cash on estuarine mudflats. The organisation and its business model was patently unsustainable and the [enigma](#) was not about its [collapse](#) but that it continued trading for so long. Its business name was a [portmanteau](#) of carillon and construction and the demise triggered many alarm bells with devastating consequences. Directors and other senior executives have since slithered off into the sunset and left [taxpayers](#) with a bill exceeding £150 million. In 2013, the company received a £180,000 fine following a serious traffic incident during roadworks that left a [motorcyclist paralysed](#) and unable to communicate. Hindsight suggests [Carrion](#) would have been a much more appropriate moniker.....*I read the news today oh boy, four thousand holes in Wolverhampton, Staffordshire.* ³⁷¹²⁻³⁷¹⁹

House of cards

Despite the political rhetoric and manipulation of data to endorse the neoliberal government's [free market ideology](#) Australia has witnessed the [collapse](#) of numerous companies following the resources boom. Many other organisations, especially [small to medium enterprises](#) are wallowing in a cesspool of escalating debt as the recession bites amidst crippling austerity although when [blood is running](#) through the streets, [catabolic capitalism](#) flourishes and relishes the conflict. ³⁷²⁰⁻³⁷²⁴

The recent demise of [RCR Tomlinson](#) provides further substantive evidence covering the failure of [laissez faire economics](#) with its worship of the [Friedman doctrine](#) and traditional race to the bottom using [borrowed cash](#). In November 2018, the company went into [administration](#) leaving unpaid debts of almost \$630 million with employee entitlements, excluding redundancy payments, amounting to \$32 million. It engaged almost 3000 permanent employees with additional widespread use of [contractors](#) and contingent [labour hire](#) across many of its projects. Preliminary investigations indicate its [aggressive incursion](#) into the construction of [solar farms](#), especially throughout [Queensland](#) was a significant contributory factor. Its [fixed price contracts](#) were merely a [race to the bottom](#) and the organisation often absorbed the costs of project delays and other exogenous risks. Site inspections indicate electrical installations on many solar projects were performed using unlicensed contingent [backpacker labour](#), which is inconceivable following the [home insulation program](#) debacle. The [state government](#) reactive response with its [language of priorities](#) is merely a tyranny of bureaucracy with more legislation via codes of practice and [guidance standards](#). ³⁷²⁵⁻³⁷⁴¹

In October 2010 a labour hire boilermaker was struck by materials handling equipment during [fabrication](#) of a rotary cooler at the [RCR Tomlinson workshop](#) in Welshpool and died at the scene. Five years later the company was [convicted](#) and received a \$90,000 fine in the Perth magistrates' court. Meanwhile its [chief executive officer](#), who vaunts two pretentious piled higher and deeper doctorates and drives to work in a swank Aston Martin with personalised registration plates, recently resigned amidst the corporate crisis and was substantially rewarded with a \$1 million golden parachute. The [outstanding achievements](#) with such didactic, solipsistic and socially autistic leadership attributes should be conferred with an honorary fellowship of the [Business Council of Australia](#). ³⁷⁴²⁻³⁷⁴⁷

In 2016 [Queensland Nickel](#) collapsed with \$300 million debts, which left almost 800 people facing the bleak prospect of long term unemployment. The federal government is pursuing around \$70 million it paid in [workers entitlements](#) following the closure of [Yabulu refinery](#) near Townsville. The appointed [liquidator](#) recently obtained a supreme court order freezing the [assets](#) of its uncouth, obese and churlish director [Clive Palmer](#), a former celebrity [politician](#) and property developer from the notorious [white shoe brigade](#). Meanwhile during 2018, his flagship private company [Mineralogy](#) recorded a \$355 million profit. [3748-3756](#)

In September 2012 the energy and infrastructure division of WDS Limited, formerly [Walter Diversified Services](#), secured a substantial [\\$280 million contract](#) for the upstream APLNG project with [Origin Energy](#). It required several hundred employees involving preparation and access for 350 well pads with an intricate network of gathering infrastructure for the western development region gas processing facilities. In September 2014 one of its [employees](#), who was married with two young children, received [fatal crush injuries](#) joining polyethylene pipes with an industrial welding machine in a laydown yard at Reedy Creek, near Roma. [3757-3761](#)

The following year in 2015 after a serious incident at the [Vale Eagle Downs](#) coal mine in Queensland, the company went into [voluntary administration](#). It expected to announce a full year loss of approximately \$14 million, which was antagonised by Vale's unexpected decision to redeem a \$14.2 million insurance bond. It left the beleaguered organisation with escalating liabilities and a breached covenant over a [GE Capital](#) debt. Major clients included [Glencore](#), [Yancoal](#), [South 32](#), [Arrow Energy](#) and [Santos](#) and its insolvency proved ominous for many other principal contractors throughout Australia's resources sector. In 2014 the [collapse](#) of Perth based [Forge Group](#) with debts exceeding \$207 million left many employees redundant. It encountered escalating costs with lean profit margins across [several major construction projects](#), which included the [Diamantina](#) and [West Angelas](#) power stations. [3762-3781](#)

This race to the bottom and pyramid selling malaise is also prevalent throughout the [residential construction](#) sector. It was reinforced via the [Cullen Group's](#) recent demise amidst debts exceeding \$42 million to over 650 creditors. During 2016 it continued trading whilst insolvent and committed itself to \$43 million worth of projects supported by a disproportionate bank overdraft facility of \$2 million. Before its collapse the operations manager was enigmatically appointed director of [Onpoint Construction](#) and evidence of [illegal phoenix activities](#) or rising from the ashes is widespread across the industry. [3782-3785](#)

State of Origin

The resources boom throughout Queensland involved extensive exploration and development of coal mines throughout the [Surat-Bowen](#) basin. It also included several [controversial](#) upstream [coal seam gas](#) projects with a vast intricate network of drilling sites, gathering, and completions systems and gas processing facilities with numerous interconnecting pipelines across the region. Downstream activities involved construction of [three](#) integrated liquefied natural gas plants on [Curtis Island](#) near the port of [Gladstone](#), which included the [Queensland Curtis LNG](#), the [Gladstone LNG](#) and the [Australia Pacific LNG](#) projects. ³⁷⁸⁶⁻³⁷⁹⁴

The \$20 billion [QCLNG](#) project under the [Queensland Gas Company](#), a subsidiary of the global [BG Group](#), was mired in allegations of [corporate malfeasance](#), deception and corruption from its inception. This was exacerbated by nauseating remuneration [packages](#) for several of its chief [executives](#) and the beleaguered [merger](#) eventually ended in acrimony with a trail of tears. The entire international [BG Group](#) was subsequently acquired by [Royal Dutch Shell](#) for approximately \$70 billion amidst widespread [redundancies](#) across the project, which was followed by recent [disturbing allegations](#) involving its multinational Montreal based principal contractor [SNC-Lavalin](#). ³⁷⁹⁵⁻³⁸⁰⁴

The \$18 billion [Santos GLNG](#) project was a joint venture involving [Petronas](#), [Total](#) and [Kogas](#) and [serious accusations](#) emerged over [revolving doors](#) and circumvention of [legislative requirements](#). Allegations indicate there was an inordinate emphasis on [commercial considerations](#) at the sacrifice of [environmental approval](#) processes. Santos [awarded](#) a major engineering, procurement and construction contract to [Fluor Corporation](#), which reflected the frivolity of its due diligence and screening protocols. Indeed a former director was none other than the notorious [Don Blankenship](#), who was recently sentenced to a [year in prison](#) following the [Massey Energy](#) mining disaster at [Upper Big Branch](#) in West Virginia. ³⁸⁰⁵⁻³⁸¹⁹

In 2009 a [Lucas Drilling](#) contractor suffered [fatal crush injuries](#) when a [metal pipe rack](#) fell from a semitrailer during unloading activities at a Santos rig near Injune. Another [fatality](#) occurred several years later when a [Saxon Energy](#) floor hand was crushed tripping out drill pipes on a drilling rig at the Santos GLNG upstream Fairview site, near Roma in Queensland. Since 2015, following the dramatic [decline](#) in oil prices and plummeting value of its [shares](#), embattled Santos executives have resisted [several takeovers](#). The besieged organisation has attempted to reinvigorate its tarnished image and reduce its [substantial debt](#), which is morally or socially unachievable, especially following the fatalities of two young drillers. ³⁸²⁰⁻³⁸²⁸

The \$35 billion [Origin APLNG](#) project was a joint venture involving [Sinopec](#), the China Petrochemical Corporation and the uncompromising and often hostile US conglomerate, [ConocoPhillips](#). The project was embroiled in controversy amidst serious allegations of [corporate malfeasance](#), which were raised via several courageous [whistleblowing](#) senior managers. Disturbing claims emerged of a deceptive corporate culture that belittled statutory requirements and merely tolerated the financial penalty of ineffective [due diligence](#) rather than achieving demonstrable compliance. [3829-3834](#)

Statements suggest Origin [failed to maintain](#) hundreds of its gas wells for over a decade and abandoned sites were often left [unplugged](#), which significantly increased environmental risks. During senior management meetings numerous accounts emerged of [contaminated aquifers](#), oil spills, explosions, [fugitive gas emissions](#) and the release of radioactive materials. The events potentially offered [coal seam gas activists](#) sufficient evidence to shut down projects or delay environmental approvals. Many incidents were casually discounted and excluded from internal reports or never notified to regulators. Attempts to report [significant incidents](#) often encountered obfuscation with intimidation, bullying and harassment. [3835-3840](#)

Following a recent well integrity audit a [senior compliance team member](#) was requested to remove or moderate statements containing evidence of lapsed tenures, unregistered pipelines and unlicensed water extraction. After raising concerns the whistle blower was made redundant and lodged an unfair dismissal complaint. Several emails to the Queensland [industrial relations minister](#) regarding the unreasonable treatment provoked an impromptu visit from [police officers](#) attached to the cacotopian [Queensland Fixated Threat Assessment Centre](#). The [distressed victim](#) was detained and [involuntarily injected](#) with [aripiprazole](#), an antipsychotic drug but never charged.....*Sanity is not statistical.* [3841-3848](#)

As the project approached completion, [oil prices plunged](#) and the company [share value plummeted](#). Embattled directors, including the chief [executive](#) and [financial](#) officers resigned and were rewarded with [golden parachutes](#) for their egregious performance. The organisation is still haemorrhaging and wallowing in austerity with debts exceeding [\\$6 billion](#). This is socialised via [exorbitant energy costs](#) to consumers and it is only a matter of time before the decaying carcass is devoured by a global predator using [borrowed cash](#).....*Credit is a system whereby a company that cannot pay gets another organisation which cannot pay to guarantee that it can pay.* [3849-3856](#)

Arrow Energy's commitment to coal seam gas in Queensland adopted a much more prudent approach with cautious final investment decisions. Its activities were a joint venture between Royal Dutch Shell and PetroChina and included extensive upstream drilling of approximately 4000 wells with gathering and completions infrastructure throughout central and south west Queensland. This was supplemented by a pair of 500 kilometre pipelines feeding a proposed \$20 billion downstream processing facility on Curtis Island and it received environmental approvals from federal and state governments. However, following the prolonged slump in oil prices the downstream processing facility was eventually ditched although upstream development of its extensive oil and gas reserves throughout the Surat and Bowen basins continued. ³⁸⁵⁷⁻³⁸⁶⁸

Appeal to Reason

The name of James Reason in industrial safety is synonymous with the infamous Swiss Cheese Model and proprietary Incident Cause Analysis Method. Despite its multifactorial approach an inevitable auto da fé relies heavily on cause effect logic with rational decision making and the benefit of hindsight. Its inordinate positivism and prolonged bureaucratic mechanistic ritual reiterates statements of the bleeding obvious and furtively redirects or allocates blame onto subordinates, which stokes the carousel of culpability. ³⁸⁶⁹⁻³⁸⁷⁶

Appeal to Reason was a US socialist newspaper published by Julius Wayland at the turn of the twentieth century in the small Kansas town of Girard that became home for many radical migrant miners. In its unabridged serial edition of The Jungle by renowned muckraker Upton Sinclair, the publication unveiled appalling conditions, angst and despair amidst Chicago's stockyards, abattoirs and fertiliser plants with the brutal exploitation of vulnerable Baltic migrants. The politically influential and critically acclaimed novel was even acknowledged by Winston Churchill and Theodore Roosevelt and generated public outrage, which culminated in the establishment of the US Food and Drug Administration. However, its intent and altruistic polemic was a humanitarian appeal against the subjugation of workers, indentured servitude and penury. It advocated extensive social reform, which produced an unexpected corollary that created widespread concern over public health and food safety standards with a frustrated response from its honourable author.....*I aimed for the public's heart and by accident, I hit it in the stomach.* ³⁸⁷⁷⁻³⁸⁸⁹

The [cultural theory of risk](#) is based on a central ontological assumption that risk is a [socially constructed](#) phenomenon in a particular [historical and collective context](#) and there is no epistemological superiority between laity and scientific knowledge systems. Expert wisdom often contains many cunning streetwise elements whilst technical information, especially standard operating procedures, disregards the pragmatic reality of life outside the laboratory. The brutal [language of priorities](#) amongst socially autistic and mercenary executives to secure finance for major energy resources and mining projects during boardroom negotiations in [London's Square Mile](#) or [Manhattan's FiDi](#), is somewhat different. [Corporate social responsibility](#) is not even a blip on the radar and the [laws of the jungle](#) often prevail. [Encumbrances](#) such as safety and environmental risks are casually discounted and attract a 10% gratuity, only if the [fourth estate](#) is invited and cameras are rolling. After the deal is closed, Pecksniffian corporate safety managers are appointed and inveigled by a remuneration package, which barely covers interest repayments on a heavily mortgaged property. The role involves skating on thin ice and [navigating the safety space](#) between the [Friedman doctrine](#) and securing the [health and safety](#) of people at work. Meanwhile, obsequious safety crusaders offer ingratiating assistance and patrol projects correcting solecisms in [safe work method statements](#) and enforcing compliance via the [black box](#) psychology of [behavioural safety](#) in a futile attempt to demonstrate [due diligence](#). ³⁸⁹⁰⁻³⁹⁰⁶

Rampant unfettered neoliberalism with its [laissez faire](#) doctrine and malevolent [freedom to harm](#) has emasculated the entire [legislative framework](#) and the [Safe Work Australia strategy](#). This is supported by ample substantive evidence of numerous [mining disasters](#) and [environmental incidents](#) such as the recent catastrophic oil spill from the [MV Pacific Adventurer](#) off the southeast Queensland coast. It is exacerbated by the emergence of occupational diseases such as [mesothelioma](#), [black lung](#) and [silicosis](#), which generates increasing [psychosocial issues](#), [escalating debt](#) and [rising inequality](#). This curtails economic growth and a few people with a lot of cash typically spend much less than the masses with a small amount of pocket money. Indeed, an economy should be judged by the absence of poverty rather than the total of plutocratic billionaires it generates. [Corporate social responsibility](#) amongst most transnational pirates is merely a patina of respectability and sufficient profits are never enough for its executive sociopaths, who are unaccustomed to repudiation and traditionally surrounded by grovelling lickspittles. The recent gilets jaunes protests in France and hostility towards its metrosexual [President of the Rich](#) is reminiscent of the [soixante-huitard](#) movement and a volatile laity is telling its leaders how much is too much..... [You can blow out a candle but you can't blow out a fire](#). ³⁹⁰⁷⁻³⁹²²

Ancestry and social environment

Always go too far because that's where you'll find the truth

Albert Camus ³⁹²³

Ancestry and social environment is identified as a causal nexus in [Heinrich's accident theory](#). It proposes personality traits such as impatience, avarice, recklessness, intolerance and forgetfulness are inherited or developed through the social environment, which causes unsafe acts and creates workplace accidents. This often blames the victim and ignites the traditional nature or nurture polemic, which raises the spectre of eugenics and propagates hallucinations of [Huxley's dystopian Brave New World](#). It is irrational to consider hereditary and environmental issues independently and it is now widely acknowledged that they interact in a complex manner to influence individual behaviour. Indeed, Huxley describes [culture](#) as the sum of special knowledge that accumulates in any large united family and is the common property of its members, which encompasses relationships and conflict. ³⁹²⁴⁻³⁹²⁸

Cultural dimensions

[Hofstede's cultural dimensions theory](#) recognises humans are unique and explores the impact of national cultures on workplace values. The dimensions represent independent preferences for one state of affairs over another. It distinguishes countries from each other as opposed to individuals via a qualitative and comparative analysis using the following elements: ³⁹²⁹⁻³⁹³³

Individualism v collectivism

Individualism is a prominent feature under any neoliberal regime and can be defined as a preference for an emancipated social structure, where individuals have an expected and independent responsibility to care for themselves and their immediate dependents. Collectivism is an informal cohesive framework where individuals expect their close relatives, clan or race to provide care in exchange for unequivocal loyalty. ³⁹³⁴⁻³⁹³⁶

Power distance index

This expresses the degree to which less powerful members of society accept and expect that power is distributed unequally. In societies with a high degree of power distance its individuals accept hierarchical authority with little justification. A low degree of power distance indicates a concerted and relentless effort by its members to expose and reduce inequity. ³⁹³⁷⁻³⁹⁴²

Masculinity v femininity

In a business context it is often categorised as the tough or tender approach. Masculinity displays a societal preference for achievement, competition, heroism and assertiveness with material rewards for success. Femininity attributes demonstrate cooperation, empathy and modesty with a concern for the quality of life, especially amongst the aged, destitute and disadvantaged..... *You can judge a society by the way it treats its prisoners.* ³⁹⁴³⁻³⁹⁴⁵

Uncertainty avoidance index

This expresses the degree to which members feel uncomfortable with uncertainty and ambiguity. In countries with a strong uncertainty avoidance rigid codes of conduct, values and beliefs are evident with an intolerance for the unorthodox. A weak index indicates a more relaxed attitude where practice has a preference over entrenched principles. ³⁹⁴⁶⁻³⁹⁴⁸

Joint ventures

Major projects throughout Australasia are often joint ventures between several global behemoths, which reduces their financial risk. It often involves engagement of a multi-national workforce on temporary migrant visas across every level of the organisational structure. This can generate friction and the corporate vision, values or beliefs must account for significant cultural differences, especially in remote developing countries. ³⁹⁴⁹⁻³⁹⁵¹

The **Hofstede** model does not define discrete personalities, it merely provides a generic qualitative profile of national culture. Its interdependent **cultural dimensions** must be addressed to resolve socio-political and economic risks. This will establish harmony, stability and eliminate social encumbrances such as blame, fear, retribution and corruption. ³⁹⁵²

Further extensive research on **cultural diversity** and managing work health and safety risks in heterogeneous environments at organisational levels is provided by **Starren** et al. It is especially critical under an elective dictatorship and **neoliberal hegemony** using **zombie politics** with a proclivity for **casino capitalism** and **individualism**. This is exacerbated by a **laissez faire** doctrine, which advocates deregulation in favour of production over protection. In large scale applications, culture follows structure although the change process is often demotic It is critical to remember that **an economy is not a society**.....*Sous les pavés, la plage.* ³⁹⁵³⁻³⁹⁶³

Behaviourism

If your only tool is a hammer, every problem becomes a nail

Abraham Maslow ³⁹⁶⁴

Most global corporate behemoths, especially American multinationals with militaristic command and control organisational structures are advocates of **behaviourism**. Many uphold the fallacy that behaviour can be measured objectively and managed accordingly. This misconception has been embraced by the wider community and throughout the resources sector via the maxim.....*What gets measured gets done*. It has permeated industrial safety and entire departments have been established with an inordinate emphasis on measurable behaviour. Much of this effort is yet another **displacement activity** because most of our unique attributes such as empathy, compassion, salvation, integrity, wisdom and love are immeasurable. Moreover, any attempt at measuring these incalculable traits renders their intrinsic value as meaningless as **zero harm**. A traditional axiom from medical diagnosis states that **absence of evidence** is not always evidence of absence but many **behaviourists** conveniently disregard this sagacious dictum. ³⁹⁶⁵⁻³⁹⁶⁸

Behaviourism involves a systematic denial of meaning and is a renunciation that violates evidence and the commonplace experience of humanity. **Behaviourists** have inveigled many acolytes to believe behaviour is a simple stimulus and response relationship. This leads to aversion or reinforcement and subjective experience and consciousness are considered irrelevant. The theory, somewhat spectacularly, fails to explain how **Beethoven's** late quartets were a conditioned response to his prevailing circumstances, especially during the final decade of a somewhat illustrious career in classical music. ³⁹⁶⁹⁻³⁹⁷¹

The concept is often disguised as **human factors** by many purveyors of snake oil with their extraordinary claims of proficiency. This charlatanism merely recognises individuals as components in a system and inevitably reverts to **behaviourism**. Humans are not the sum of inputs and outputs and behaviour cannot be simply verified by an assets and liabilities statement or an account ledger detailing deposits and withdrawals. Understanding risk, human judgement and **decision making** is far more complex. A myopic human behaviour focus is an extremely capricious trajectory that generates many disagreeable outcomes and destroys learning and ownership. ³⁹⁷²⁻³⁹⁷³

Behaviour is extremely subjective and cannot be observed neutrally. It is always subject to interpretation via an extensive range of human prejudices or biases. [Social psychology](#) is littered with [countless experiments](#) that demonstrate how attractive features and sartorial elegance are foundational to misjudgement and inaccuracy. Any notion that behaviours are objective and measurable is complete nonsense. [Behaviourists](#) place an inordinate reliance on the benefit and [bias of hindsight](#).....*Different does not equal wrong.* ³⁹⁷⁴⁻³⁹⁷⁶

There are many arbitrary factors or unpredictable anomalies that make behaviours extremely difficult to explain and it is critical to establish relationships before exercising judgement. Even after many years of marriage most couples remain reticent or are extremely prudent about jumping to conclusions regarding each other's behaviour. Corporate sociopaths are quite adept at telling lies when their lips move and disguising their deportment, which renders the measurement of behaviour extremely unreliable....*Four legs good, two legs bad.* ³⁹⁷⁷

Behaviour based safety

[Behavioural safety](#) is a mythical preoccupation that imagines behaviour can be controlled and undermines the importance of moral responsibility, ownership and learning. It is a delusional anthropology, which treats humans as extensions of machines. This ignores the concept of human motivation and disregards the diversity of human perception. Behavioural safety observations without establishing relationships and responsive communication are a recipe for [maladaptive anxiety](#). It is subjective speculation and depicts more about the superiority and pomposity of its observers rather than the performance of scrutinised servants or peons. Snooping with binoculars and the use of digital cameras and checklists merely regards hypothetical interpretations as the truth and it is hardly a suitable foundation for establishing cordial relationships, trust and a learning culture. ³⁹⁷⁸⁻³⁹⁸¹

Most organisations embracing [accident theory](#) are avowed acolytes of [behavioural safety](#) and predictably target unsafe acts at the coalface, which cultivates blame and impedes organisational development. The focus is predominantly on the absence of safety and compliance with lower order controls. Assessment tools are littered with pejorative and vague descriptors such as line of fire, eyes on path or eyes on task and it produces a predetermined outcome. This implies [human error](#) and is inconsistent with the philosophy of [multifactorial causation](#) and significantly increases [psychosocial risk](#). ³⁹⁸²⁻³⁹⁸⁹

[Behavioural safety](#) is only an administrative control and extremely popular in American companies or organisations with adversarial structures. It does not measure safety performance and is merely counting, which generates descriptive, subjective, qualitative and categorical data. This is of limited use or value and statisticians frequently reiterate that correlation does not necessarily imply causation. Albeit much less scientific, it is analogous with [Taylorism](#) time and motion studies, which alienate employees from their work and creates a dystopian environment. This is reflected by Winston's repetitive cadaverous comments in [George Orwell's 1984](#).....*Who controls the past controls the future, who controls the present controls the past.* [3990-3998](#)

Despite statutory requirements, many [behavioural safety](#) advocates disregard the [hierarchy of controls](#) and focus on changing the person. This is accomplished by monitoring and correcting behaviour using [operant conditioning](#) and the techniques of positive and negative [reinforcement](#) for controlling the associated risks. [3999-4001](#)

[Fleming and Lardner](#) recommend caution with [behaviour based safety](#) approaches and reinforce how it can divert attention to address symptoms and disregard the cause. This focus on the receiver and changing individual behaviour is inconsistent with common law duty of care requirements. [Cohen](#) and [Nader](#) provide further extensive discussions covering road safety, vehicle engineering design and the effectiveness and complexity of changing human behaviour. [4002-4005](#)

[B. F. Skinner](#) was a pioneer of radical [behaviourism](#) and also the author of *Walden 2*, a utopian novel that espoused a rationally designed society. Its authenticity reflects and aligns with the socialist nirvana that emerged throughout Paraguay during the late nineteenth century. Many of [Skinner's experiments](#) were conducted on rodents and pigeons although most of his books were written about people. [Kohn](#) claims [operant conditioning](#) has many misleading assumptions and limitations and its effectiveness is only ephemeral. It also generates intrinsically objectionable and persistent counterproductive consequences. [4006-4008](#)

Recent comments from prominent American [behavioural safety consultants](#) indicate a conceptual transition. Many of the claims and snake oil hyperbole extolling phenomenal accomplishments have since been moderated and there is now some acceptance that most workplace injuries are not the sole consequence of unsafe acts. [4009-4012](#)

At one major coal seam gas project near Roma, in Queensland a visit from the executive leadership team included behavioural safety observations to fulfil their allocated performance indicators. The activity selected involved working at height and installation of cladding on a compressor housing using subcontractors. The observation checklists were designed to generate a predetermined outcome via subjective and pejorative terminology with an inordinate focus on unsafe acts. However, the observers failed to notice that elevating work platform log books did not correspond with the equipment serial numbers. ⁴⁰¹³⁻⁴⁰¹⁴

Daily preoperational checks were documented but failed to identify that quarterly and annual mechanical inspections for the equipment and fire extinguisher checks were overdue. The subcontractor inadvertently circumvented the plant premobilisation process and brought the hired equipment directly onto site. The activity also required a working at height permit, which failed to identify the critical anomalies. This provided additional substantive evidence that a systemic malaise of form over substance supplemented by an inordinate focus on behaviour not actions, is evident across many resources projects. ⁴⁰¹⁵

Behaviour management

Behaviour management requires an understanding of many interdependent factors, which include motivation, ownership, culture, relationships, personality, curriculum development, learning styles, teaching strategies and a host of interrelated issues. Many industrial safety teaching and training providers usually offer myopic behaviourist solutions. This often involves operant conditioning via black box psychology and disregards basic fundamentals of behaviour management. The subject is indeed extraordinarily complex with many formidable challenges that requires specialist and professional guidance. ⁴⁰¹⁶⁻⁴⁰¹⁷

Behaviourist theory assumes people are the sum of inputs and outputs and behaviour can be modified and controlled by operant conditioning. Its founder John B Watson, adopted an unusual stance, which began as methodology and became ontology. It proposed behaviour of man and animals must be considered on the same plane and as being equally essential to a general understanding of behaviour. This ignored any notion of consciousness and it was effectively black box psychology that followed an argument to an absurd conclusion and believed the outcome, which merely classified humans as glorified Pavlov's dogs. ⁴⁰¹⁸⁻⁴⁰¹⁹

[Cognitivist theory](#) recognised difficult behaviour emerged from poor judgement and the parameter of thought was added to the recipe. An advanced and more progressive approach integrated the disciplines to create cognitive behavioural theory. This acknowledges the challenges emerge from substandard inputs, mediocre thinking and ineffective incentives or deterrents. Alternative theories focus on emotional development or [social psychological](#) issues. ⁴⁰²⁰⁻⁴⁰²²

The work of [Floyd Allport](#) generated a wave of experiments which examined how social arrangements influenced judgements and [decision making](#) and a new dawn emerged in the form of [social psychology](#). This placed an emphasis on relationships and evaluated how people's thoughts, feelings and behaviours were affected by the actual, imagined or implied presence of others. Further research by [Cialdini](#) identified [six weapons of persuasion](#) that affect judgement and [decision making](#). These include reciprocity, commitment to consistency, social proof, authority, liking and scarcity. ⁴⁰²³⁻⁴⁰²⁵

In reality, when managing risk individuals are significantly influenced by the situation and their environment. [Social psychology](#) recognises that conformity, obedience and social perception are bounded by the situational context rather than character. [Kurt Lewin](#), a pioneer of [social psychology](#) described the reactions of individuals and groups to changing circumstances and launched the concept of [group dynamics](#). It recognised established groups form a unified system with unique synergistic attributes that could not be understood by the analysis of its individual members. Indeed, humans invariably overestimate the importance and power of individual responsibility and are underwhelmed by the influence of social situations. This is often termed [fundamental attribution error](#) and it places an inordinate emphasis on personality, intelligence or consistently, common sense. ⁴⁰²⁶⁻⁴⁰³⁰

The [social psychological](#) approach argues that behaviour is best managed via a learning environment rather than a counterintuitive emphasis on individual responsibility and traditional [behaviourist](#) focus. Influencing behaviour in a social context is critical and the importance of [semiotics](#) cannot be underestimated. It requires an understanding of power and the nature of influence on individuals or groups. The language of absolutes such as [zero harm](#), intolerance, infallibility and compliance and enforcement is more suited to [behaviourist](#) methodology and is excluded from the discourse in [social psychology](#). ⁴⁰³¹

Admirable evasions

Black box psychology is almost as bizarre a cultural product as phrenology or sorcery and it disregards the existence and significance of human self-consciousness. Nonetheless, there has been extraordinary growth in the research of human behaviour, which includes psychoanalysis, psychotherapy, behaviourism, cognitive behaviour therapy, cybernetics, sociobiology, ecopsychology, neuropsychology, neurolinguistic programming and neuroscientific imaging plus several shards or crystals of neurochemistry. ⁴⁰³²⁻⁴⁰⁴⁵

Dalrymple critically evaluates how psychology undermines morality and provides further interesting observations and extensive comments on this vast, arcane and dynamic discipline. Notwithstanding these remarkable developments and despite the logorrhea, it would be a bold person who claims that our self-understanding, with the forlorn hope of an existence free of inner and outer conflict, is now greater than that of Montaigne or Shakespeare. ⁴⁰⁴⁶⁻⁴⁰⁴⁹

The truth and human motives are rarely pure and never simple and we owe incomparably more to improved sewerage than to psychology. The human brain for something supposedly so brilliant and evolutionary advanced is a pretty messy, extremely fallible and complicated organ. This supports the philosophy of the late and much lamented Trevor Kletz.....*Try to change situations, not people.* It is much less complicated than teaching rodents or pigeons how to play table tennis. Alternative aesthetic nostrums include scientology, neurolinguistic programming and wallowing in the swamp of snake oil or obscurantist psychobabble. Challenging and breaking oppressive power and control is not a daunting task and many triumphant examples are provided by Nader, who has devoted a lifetime to advocating democracy and promoting social reform. ⁴⁰⁵⁰⁻⁴⁰⁵⁶

In the 1970s dozens of think tanks throughout the western world were allocated billions of dollars to promote an economic model of deregulation, diminution and privatisation. This corporate call to arms was instigated by Lewis Powell and Bryce Harlow in the United States to reform the egalitarian clemencies of the 1960s. It involved the merger of corporate and state interests and an enormous redistribution of power. Its impact has destroyed many of the social reforms of democratic governments such as labour standards and working conditions.....*The measure of a man is what he does with power.* ⁴⁰⁵⁷⁻⁴⁰⁶⁰

Principle based leadership

The function of leadership is to produce more leaders, not more followers

Ralph Nader ⁴⁰⁶¹

Accident theory is bereft of any process or guiding principles, which are essential for promoting cultural change. It is littered with subjective speculation and many of its supporting tools result in bureaucratic egocentric controls or other aesthetic nostrums. This includes **behavioural safety** programs, which are used in a vainglorious and otiose attempt to shoe horn an incongruous concept into a risk management framework. It places an inordinate focus on how, what and especially who, which predictably blames the victim and delivers only a modicum of substance or meaning. The influence of guiding principles is often neglected and an inflexible and rule based hybrid structure evolves, which is exacerbated by the redolent symptoms of ignorance, blame, fear and inevitably retribution. ⁴⁰⁶²⁻⁴⁰⁶⁷

Principles or procedures

A distinctive but excruciating feature of **accident theory** is its insufferable focus on compliance with rules and prescriptive procedures, which are usually bureaucratic administrative protocols that protect the writer. Documented procedures merely define what to do and how to perform and require occasional supervision to ensure compliance and reliability. This suits tractable processes because it produces consistency with minimal effort and limited requirements for **decision making**. However, during process glitches or malfunctions a dilemma often arises when the procedures are inapplicable to the enabling or prevailing conditions. The inflexibility creates an **efficiency thoroughness trade off** and constrains initiative or intuition. ⁴⁰⁶⁸⁻⁴⁰⁷¹

Principle based leadership offers a suitable alternative and aligns with the concept of **nudge theory**, which promotes **libertarian paternalism** with a **choice architecture** philosophy. This provides suggestions as opposed to instructions, which increases scope to achieve specific outcomes. It creates flexibility and creativity, which emancipates employees and encourages teamwork. **Principle based leadership** requires tenacity and patience because decisions are based on individual judgement. This requires identification of values that will achieve business outcomes, discarding irrational policies or procedures and developing new principles that empower employees to understand and achieve the corporate vision. ⁴⁰⁷²⁻⁴⁰⁷⁴

Emotional intelligence

Leading with [respect](#) and [humility](#) are the fundamental tenets of [principle based leadership](#) but its essence is [emotional intelligence](#). The principal attributes which create superior performance include self-awareness, self-regulation, motivation, empathy and social skills. A gamut of motivational tactics is required to inspire different people and [emotional intelligence](#) allows leaders to identify the impact of their actions on others, especially colleagues and subordinates. Leadership skills can be developed through [critical thinking](#) and a reflective and frequent introspective review of performance. This requires empathy to encourage teamwork using positive, restrained and polite behaviour.....*If your only tool is a hammer every problem becomes a nail.* It has a pronounced and measurable effect on relationships and engenders trust, credibility, [respect](#) and impartiality. ⁴⁰⁷⁵⁻⁴⁰⁷⁹

Misalignment of systems and processes

The misalignment of systems and processes often generates despair and a trail of tears. It delivers superficial fabricated metrics such as total recordable [injury frequency rates](#) with an elusive and futile search for tenuous causes. This diverts attention from higher order controls and produces a mediocre performance, which is reflected by the resurgence of [black lung](#) in the Queensland coal mining industry. The desolate plight of its victims resonates in the poignant lyrics of an [Allan Taylor](#) folk song.....*Another night not sleeping, roll on the day. Every night you fight for breath. It hurts so bad, you wish for death, roll on the day.* ⁴⁰⁸⁰⁻⁴⁰⁸²

Guiding principles focus upstream and answer the question why, which provides meaning or substance to methodology. This establishes relationships, encourages teamwork and enhances performance to produce successful outcomes. The responsibility of leaders is to ensure behaviour aligns with guiding principles. This expedites cultural change and creates improvement through an understanding of the intricate interdependency of business principles, systems and processes. ⁴⁰⁸³⁻⁴⁰⁸⁷

However, despite substandard performances, leaders often receive gratuitous bonuses or [golden parachutes](#) followed by sinecures as non-executive directors. A climate of [vulture capitalism](#) or [lemon socialism](#) ensures profit is [privatised](#) and loss is [socialised](#). It does not reflect or align with the spirit of [corporate social responsibility](#), [good governance](#) and [organisational codes of conduct](#).....*Si monumentum requiris, circumspice.* ⁴⁰⁸⁸⁻⁴⁰⁹⁶

Leadership and ethics

Discussions on [leadership](#) usually accentuate the hero myth and the terms great and good are often used synonymously. This militaristic and mechanistic paradigm places and inordinate emphasis on individual achievements at the expense of followers and collective triumphs. It promotes a messianic cult status and crusading spirit, which ignores social interpretation of events and disregards the intricate interdependence between following and leading. ⁴⁰⁹⁷⁻⁴¹⁰⁰

[Leadership](#) is bequeathed by followers and its principal attributes include [respect](#) and [humility](#). Many leaders would be ineffective without the positive aspects and perceptions of their acolytes. A myopic clockwork approach without establishing the context and analysis of social arrangements constrains options. This often compels followers down restricted and counterproductive channels in an otiose attempt to resolve [wicked problems](#)..... *Vision is the art of seeing what is invisible to others.* ⁴¹⁰¹⁻⁴¹⁰⁴

During discussions on [leadership](#) the terms [ethics and morals](#) are frequently exchanged but they have subtle differences and often clash. Morals define personal character whilst ethics underpin a social system in which individual morals are applied. All ethics are social and relational and conduct is considered unethical when it belittles [respect](#) and compassion. Bureaucrats exercise authority via soft power and expect obedience, whereas renowned sociopaths such as [Stalin](#) or [Ceausescu](#) used intimidation or fear and enforced people to capitulate. Effective leaders must make a positive and meaningful difference to the livelihood and learning of others using an influential, reciprocal and [interactive process](#). ⁴¹⁰⁵⁻⁴¹⁰⁶ Relationships are the foundation of accomplishment and in an era of click democracy it is quite simple to inveigle or seduce the masses. This is often achieved through social media via false dichotomies, shallow slogans or nostrums, which readily appeal to the laity. Father Time or Mother Nature eventually exposes ineffective leadership and inferior judgement from desperate and disparate disciples. [Churchill](#), [Hitler](#) and [Napoleon](#) were frequently acclaimed as great leaders but there is ample evidence to suggest they were not good men. Followers have a responsibility to [speak the truth to power](#), which is particularly relevant to the current regime in the United States under the presidency of [Donald Trump](#). It is best summarised by [Joseph de Maistre](#).....*Every country has the government it deserves.* ⁴¹⁰⁷⁻⁴¹⁰⁹

Fear based leadership

Leading with [respect](#) and [humility](#) are fundamental elements of [true leadership](#), which merely involves common courtesy, politeness or just plain good manners. However, these are usually inconsistent traits and eventually evaporate through the influence or corruption of power, which destroys many other immeasurable precious features such as loyalty, trust and integrity. There are [seven principal attributes](#) that underpin respectful leadership, which are summarised in [Figure 24](#). Each day should begin with an encouraging smile and acknowledgement of colleagues or strangers via a friendly greeting without unnecessary or ersatz terms of endearment such as mate or buddy. It also requires [emotional intelligence](#) with restraint and moderation of behaviour, especially during a crisis. This should be complemented by a sincere disposition with genuine recognition of individual achievements and an appreciation of [fallibility](#). Leaders must always offer a prompt and sincere apology if their behaviour is disrespectful or transgresses a professional [code of ethics](#). Egregious leadership and [carpet bagging](#) is quite common in developing countries such as [Papua New Guinea](#), where the [abuse of power](#) is merely institutionalised racism with a total disrespect of culture. However there is substantive evidence of equally [appalling behaviour](#) this side of the [Torres Strait](#), which was recently emphasised in numerous [testimonies](#) during Queensland's [parliamentary inquiry](#) into black lung. ⁴¹¹⁰⁻⁴¹²³

Most employees are often unaware of a [fear based working environment](#) and symptoms of [cognitive dissonance](#) usually prevail. [Immeasurable](#) precious attributes such as truth and trust are routinely sacrificed at the expense of meaningless [performance indicators](#) that merely protect reputations of ruthless despots. It is somewhat paradoxical but many imperious tyrants remain unaware of their [venomous traits](#) because colleagues or subordinates are terrified of speaking the truth to power. [Leaders](#) who rule by fear are unfamiliar with their portfolio and typically insecure. This places an inordinate emphasis on objects supplemented by policies, procedures and [platinum or golden rules](#). It creates a mechanistic or reductive addiction to trivial and reactive metrics with an excessive dependence on enforcement and punishment to ensure compliance. A gossamer thin business card replicates their [professional integrity or ethics](#) and becomes an embodiment of personal power with an extreme reluctance to relinquish authority for the benefit and emancipation of subordinates. ⁴¹²⁴⁻⁴¹³¹

Figure 24: Respectful leadership



The respectful leader – Seven ways to influence without intimidation (Gregg Ward)

Available from: <https://respectfulleader.com/#!/book>

Independent auditing

Those who cast votes decide nothing, those who count the votes decide everything

Joseph Stalin ⁴¹³²

Independent auditing of safety management systems is conducted using several mechanisms, which include the Joint Accreditation System of Australia and New Zealand [JAS-ANZ](#) and workers' compensation [self-insurance](#) schemes or through the use of external safety consultants. ⁴¹³³⁻⁴¹³⁴

JAS-ANZ scheme

Major organisations in the resources sector implement contractor prequalification processes to fulfil their due diligence requirements. This requires contractors to obtain independent certification to a recognised safety management system standard. Certification is provided by [conformity assessment bodies](#) who are accredited through the JAS-ANZ [scheme](#). It enhances international and domestic trade and commerce, which reduces risk and provides organisations with a competitive edge. Each year, the [Department of Industry, Innovation and Science](#) minister receives a corporate statement of intent and an annual report from the JAS-ANZ [governing board](#) to fulfil governance requirements. ⁴¹³⁵⁻⁴¹⁴¹

The benefits of [independent certification](#) through the JAS-ANZ [scheme](#) via its [conformity assessment bodies](#) allows an organisation to control its internal systems and offers opportunities for [continuous improvement](#). This reduces variance and provides impartial assurance of organisational capabilities to customers and other interested parties, including regulatory authorities. The JAS-ANZ [assurance symbol](#) is a valuable asset because it instils confidence in new and existing clients and promotes reliability. It also indicates the organisation is meeting its mandatory legislative requirements. ⁴¹⁴²⁻⁴¹⁴³

The terms accreditation and certification are often used synonymously but have precise definitions within the conformity assessment sector. [Accreditation](#) involves verification of a conformity assessment body's competence, credibility, independence and integrity to perform its assessment activities. [Certification](#) is provided by an accredited [conformity assessment body](#) and confirms an applicant's compliance with specified standards. It is an independent attestation that is specifically related to products, systems, processes or persons. ⁴¹⁴⁴

JAS-ANZ develops [specification criteria](#) for the accreditation and performance monitoring of [conformity assessment bodies](#). It also provides a framework for the effective management of assurance schemes. [Conformity assessment bodies](#) require reaccreditation every four years and their auditing performance is regularly monitored. Its safety auditors are certified via an independent personnel certification process. The scheme prescribes requirements for regular surveillance audits in accordance with a defined JAS-ANZ [procedure](#) to guarantee effectiveness and sustainability. ⁴¹⁴⁵⁻⁴¹⁴⁸

Notifiable incidents were recorded on one major coal seam gas construction project and included a major asset damage event, two disabling injuries and a fatality. Despite the magnitude and duration of the project plus its cost and the inherent risks, there was no evidence of any independent surveillance audits from a [conformity assessment body](#). Moreover, several of its principal contractors held accredited certification to a recognised [safety management system standard](#). ⁴¹⁴⁹⁻⁴¹⁵³

This anomaly was raised on several occasions with the coal seam gas operator and its principal contractor and documented in a project completion report. However, its significance was disregarded and it failed to attract any acknowledgement from the project leadership team. A formal complaint about the scarcity of surveillance audits by the [conformity assessment body](#) was also registered with JAS-ANZ using its electronic good faith [complaints](#) reporting process. ⁴¹⁵⁴

Further investigation via the [JAS-ANZ website](#) revealed an irregularity with the principal contractor's certification, which included an unusual five year expiry date. Additional concerns were also raised with JAS-ANZ as to whether this was an isolated case or a systemic problem involving other conformity assessment bodies but no clarification was provided. The response from JAS-ANZ was quite extraordinary and merely recommended contacting the conformity assessment body directly, which would certainly subjugate any confidentiality. No formal feedback was ever received and the complaint was merely diffused and defused into harmless channels of bureaucracy. Insufficient surveillance audits on such a significant project compromises the scheme's integrity. It also provides further evidence of the pluralistic ignorance and systemic failures, which are often disclosed during [parliamentary inquiries](#) into disasters and the emergence of industrial diseases. ⁴¹⁵⁵

The [Department of Industry, Innovation and Science](#), through its vision and [free trade agreements](#), fosters growth and productivity for globally competitive industries by streamlining regulation. However, in the current [neoliberal laissez faire](#) climate this emasculates the legislative framework, circumvents International Labour Organization [conventions](#) and neglects audit and screening mechanisms. This is verified by the recent charade of health surveillance protocols and subsequent resurgence of [coal workers' pneumoconiosis](#) throughout the Queensland mining industry. ⁴¹⁵⁶⁻⁴¹⁶³

Self-insurance scheme

In the resources sector coal mining is categorised as a [high risk industry](#) and [BHP Billiton and Glencore](#) are insured via the Queensland state government [workers' compensation](#) self-insurance scheme. Licenses are issued subject to [minimum mandatory requirements](#), which require lodgement of an unconditional bank guarantee or cash deposit with the [regulatory authority](#). Self-insurers must employ a minimum number of employees within Queensland and require a satisfactory occupational health and safety performance supplemented by a [rehabilitation policy and procedures](#). The scheme establishes [performance monitoring criteria](#) and includes auditing of work health and safety performance using independent [accredited auditors](#). ⁴¹⁶⁴⁻⁴¹⁶⁷

The process involves an [initial legislative compliance review](#), which is completed by the [Queensland Office of Industrial Relations](#). This is followed by an independent third party audit of the organisation's health and safety management system. The applicant must select a government [accredited independent auditor](#) and impartial screening is required to verify there is no conflict of interest. The audit includes an assessment of preselected sites and associated activities and the presentation of preliminary findings with an evaluation report. This involves a systematic review of activities against defined criteria to ensure outcomes comply with planned arrangements. It also verifies actions are effectively implemented to reflect and align with the organisation policy and objectives. The scheme prescribes requirements for internal surveillance audits and its [audit tool](#) details specification criteria, which align with the requirements of [AS/NZS 4801:2001](#). However, the resurgence of [black lung](#) in the Queensland mining industry indicates the [self-insurance auditing process](#) failed to identify an operational or material risk and is merely a superficial nostrum. ⁴¹⁶⁸⁻⁴¹⁷⁰

External safety consultant audits

Organisations with limited resources, especially small to medium enterprises often engage the services of external safety consultants to perform audits against Australian Standard [AS/NZS 4801 specification criteria](#). This usually follows a standardised process, which aligns with the requirements of [AS/NZS ISO 19011:2014 Guidelines for auditing management systems](#). However, there are no explicit legislative requirements covering accreditation of providers or independent certification of auditors and integrity and impartiality can be compromised by commercial imperatives. Indeed the [audit scope](#), which defines its extent and boundaries can be ingeniously framed like terms of reference in a [commission of inquiry](#), to include or exclude critical issues and achieve a predetermined outcome, which satisfies hidden agendas. ⁴¹⁷¹⁻⁴¹⁷⁵

River of tears

On 25th October 2016 a [tragic incident](#) on the [Thunder River Rapids Ride](#) at the [Ardent Leisure Dreamworld amusement park](#) near Queensland's Gold Coast, claimed the lives of four people. A circular raft containing [six passengers](#) collided with an empty vessel and flipped upwards and capsized as it approached the disembarking dock. Following the impact, four adult occupants suffered fatal injuries and [two adolescents](#) miraculously survived the horrific ordeal. Emergency services including [paramedics](#) rushed to the scene and the entire theme park was eventually evacuated and closed. Families, close friends and witnesses were left distraught and several noble Red Cross [volunteers](#) provided assistance and counselling. The ride and its immediate environs were declared a crime scene pending further investigations via the [police](#) and other [regulatory authorities](#) and an extensive [coronial inquest](#) followed. During the aftermath [disturbing allegations](#) emerged regarding operation and maintenance of equipment, which forced the organisation to defend its [safety performance](#) and corporate reputation. No major nonconformance issues were identified during a recent mandatory [safety inspection](#) and at the time of the incident the theme park was allegedly compliant with statutory registration and [certification](#) requirements. Dreamworld reiterated that the safety of guests, staff and wildlife was a core value of its business and.....*Rides and slides are checked daily by its experienced team before the theme park opens.* This was reinforced via a statement from the theme park's [independent auditor](#) who claimed its annual audits demonstrated a continuous improvement in the management of safety. ⁴¹⁷⁶⁻⁴¹⁹¹

However, evidence from heavily redacted documents obtained by the [Australian Workers' Union](#) under [freedom of information](#) and media reports during the subsequent coronial inquest suggest otherwise. The Thunder River Rapids Ride began operating in the 1980s and was modified extensively throughout its lifecycle. It was considered by many attendants as one of the more [challenging and complex](#) rides to manage and a catalogue of electrical, mechanical faults and [operator errors](#) emerged over recent years. [4192-4195](#)

During a trial run without passengers back in 2001 [several empty rafts collided](#) near the unloading bay. A junior assistant operating the ride that day provided vague recollections of [capsized vessels](#) and described the event as pretty frightening. An internal investigation alleged the senior attendant became distracted, reacted impulsively and [operator error](#) was established as the [root cause](#), which was more than likely the consequence. [4196-4199](#)

In early October 2004, a person fell into the water near the unloading dock and recovered without suffering serious injuries. The following year in [August 2005](#) three vessels were involved in a significant collision when the ride operator became distracted. More recently in 2014, a pump was inadvertently shut down and ride water levels quickly subsided. A raft laden with several passengers became [stranded](#) and was [struck](#) by another occupied vessel. Following an internal investigation or witch hunt, an operator was [dismissed](#) although no significant asset damage or serious injuries were sustained during the incident. [4200-4203](#)

The [operating console](#) was unnecessarily complicated and cluttered with a bewildering network of light emitting diodes, which were supplemented with green and red indicator buttons. There was no [electrical schematic](#) to assist electricians with tracking faults or troubleshooting. At the end of each day operators used a conventional routine or sequence to ensure the ride was correctly shutdown. Beneath the console electrical components and circuitry were described as a [rat's nest](#) and concerns were repeatedly raised with senior management and site supervisors regarding substandard wiring. [4204-4206](#)

On a busy day, maintenance crews could attend up to [20 malfunctioning rides](#), which were classified as [code six events](#) to allay public fears and prevent unnecessary panic. The rapids ride was renowned for its unpredictability and regular breakdowns, which were usually attributed to its two [temperamental pumps](#) that sustained the ride's water levels. Pump inspections, faults and resetting were usually assigned to an [electrical mechanic or licensed electrician](#) in the maintenance team. [4207-4210](#)

Several hours before the tragic events unfolded, a [water pump](#) recorded an earthing fault and had already [tripped twice](#) earlier in the day. The theme park's [engineering supervisor](#) confirmed the ride should have been shut down following the second failure. However, the defective pump was merely reset and it failed for a third time with devastating consequences. Ride operators, attendants and many other assistants were regularly indoctrinated about [pump failures](#) via a verbal axiom. This allowed water pumps to malfunction [three times](#) before the ride was shut down by the operator, which was incongruous with prescribed requirements in its operating manual. [4211-4215](#)

The Thunder River Rapids Ride was equipped with two [emergency stop devices](#). One button located near the console slowed the ride gradually until it stopped and another device near the unloading dock [immobilised](#) its mechanism almost instantaneously. Evidence from a senior operator and junior attendant who were on duty that day confirmed they were unaware of the variable emergency stop [response times](#). The [button](#) near the unloading jetty was never pressed as the tragic events unfolded and its activation may have limited the devastating consequences. Supplementary [engineering controls](#) including additional water level sensors and reliable limit switches could have provided extra [layers of protection](#) to reduce the risk. Several operators had not received [emergency response training](#) or participated in [simulated evacuation drills](#). [4216-4223](#)

In November 2012 a [registered](#) in-service [inspector](#) with the [Australian Institute for the Certification of Inspection Personnel](#) ascertained many [pressure vessels](#) on the theme park rides were [noncompliant](#) and classified as [unfit for service](#). This involved numerous compressors and [air receivers](#), which required statutory registration and regular inspections. Its engineering department was unable to provide evidence of a quality management system covering the routine [inspection and service](#) of [critical components](#). The issue was eventually referred to the regulatory authority and a ruling confirmed [registration](#) of the entire [amusement ride](#) sufficed and duplication of individual critical components was considered superfluous. This creates a significant anomaly with the validity of its [annual audits](#) and the [national audit tool](#) specification criteria. Dreamworld allegedly demonstrated continual improvement in the management of safety although a major non-conformance was evident covering a breach of [legislative requirements](#) for the inspection and testing of [pressure vessels](#). [4224-4238](#)

Despite the corporate sincerity and its [outpouring of confected grief](#) the Ardent [board charter](#) depicts organisational values with an obstinate deification of the mercenary [Friedman doctrine](#). Its primary role is.....*To promote the long term health and prosperity of the group and to build sustainable value for its investors*, which is inconsistent with the object of [safety legislation](#). This was reflected via deplorable [crisis management](#) protocols and woeful behaviour from a didactic [chairman](#) and the embattled celebrity [chief executive officer](#) in a nefarious attempt to protect reputations and secure performance bonuses. ⁴²³⁹⁻⁴²⁴⁵

Dreamworld planned to [reopen](#) the theme park before the blood had been washed from the surrounding concrete. It was only [postponed](#) because the site was classified as a crime scene under a warrant from the [Queensland Police Service](#). An early opening may have compromised the forensic investigation and the company was forced to issue an [embarrassing apology](#) during the media maelstrom. It decided to wait until after the funerals and completion of the complex investigation. Ardent Leisure held its [annual general meeting](#) in Sydney several days after the tragedy and its socially autistic [chairman](#) stepped down amidst the crisis. The chief executive officer donated a recent cash bonus of almost \$170,000 to the Red Cross for the support of bereaving dependents. However, the board [approved](#) a \$843,000 performance incentive scheme, which included substantial cash payments over several years to quench a ravenous maw. Claims that police and Dreamworld had contacted all of the families were [disputed](#) by close relatives during a press conference following the meeting. ⁴²⁴⁶⁻⁴²⁵³

The ignominy escalated as the organisation attempted to block the release of [sensitive documents](#) under freedom of information. The site remained closed for almost seven weeks and the Queensland Police Service in its report to the coroner recommended no [criminal charges](#) be brought against Dreamworld theme park employees. A [coronial inquest](#) commenced at [Southport courthouse](#) in June 2018 and Deborah Thomas, the [former chief executive officer](#) with Ardent Leisure, received almost [\\$3000 per day](#) to attend the inquest. Soon after the hearing opened, the Dreamworld [chief executive officer resigned](#) and has since been rewarded via a lucrative sinecure with the [Gold Coast Tourism Corporation](#) at [Destination Gold Coast](#). The carousel of culpability with its predictable retrospective judgement of convenience continues spinning like a roulette wheel amidst a corporate kleptocracy, which is proudly endorsed by a conspiratorial elective dictatorship. Meanwhile, the grieving dependents are left to rebuild their shattered lives and the [haunting refrain](#) from [Eric Patrick Clapton](#) lingers...*Oh, how long must this go on? Drowning in a river, drowning in a river of tears.* ⁴²⁵⁴⁻⁴²⁶¹

Safety damagement

Integrity has no need of rules

Albert Camus ⁴²⁶²

The work health and safety legislative framework in Australia adopts a systematic and consultative risk management approach, which is underpinned by duty of care principles of common law. It has generated a focus on development and implementation of safety management systems based on the [Deming quality management cycle](#). In large scale applications, culture follows structure and organisations have established a formal framework using an objectives hierarchy and performance monitoring requirements with defined specification criteria. However, many other contributory factors are overlooked and clockwork mechanistic models often ignore endogenous issues such as organisational culture, power distance issues and leadership styles. ⁴²⁶³⁻⁴²⁷¹

Change management and organisational development has become extremely complex with the introduction of a cornucopia of abstract [soft systems processes](#). This has created an increase in [obscurantism](#) and [agnotology](#) and the resultant dog's breakfast would be much better described as safety damagement. [Ackoff](#) addresses this predicament through the art and science of mess management and analyses four different approaches, which include absolving, resolving, solving or dissolving. ⁴²⁷²⁻⁴²⁷⁶

Absolving

Systems experience natural variation and [exploratory data analysis](#) techniques have been sadly neglected at every structural level within organisations. Many misfortunes evolve from our inherent inability to sit quietly in a room and do nothing and in certain situations it is often the best tactic. This is termed absolution and tampering with the system merely exacerbates the condition because the problem is entrenched in common cause variation. ⁴²⁷⁷⁻⁴²⁷⁹

It is reified by the influential [funnel experiment](#), which describes the adverse effects of altering a process without analysis of its mechanisms. This occurs on many construction projects following minor injuries, which require futile investigations to establish [root causes](#). The problem is often aggravated by a [zero harm](#) fiat and inevitably results in managing the metric instead of performance. It fabricates reporting, which is reiterated by [W. Edwards Deming](#)..... *Whenever there is fear, you will get wrong figures.* ⁴²⁸⁰⁻⁴²⁸³

Resolving

This approach is commonly encountered throughout the resources sector and on short term construction projects. It is embraced by many safety crusaders and relies heavily on heuristics with trial and error and the use of [Maslow's hammer](#) or a [Birmingham screwdriver](#). It provides a simple solution to a complex problem and [accident theory](#) with its many miasmatic symptoms prevails. [Behavioural safety programs](#) are often evident, which creates escalating [psychosocial risks](#) and a looming spectre of [eugenics](#). [4284-4288](#)

This satisfies many project managers but its clinical and primitive tactics lack analytical rigour and performance is measured qualitatively using vague, judgemental and subjective descriptors. Many other social encumbrances evolve including blame, fear and retribution. Industrial relations disputes inevitably arise and delay progress, which increases costs and compromises the fundamental objectives of completing the project on time, within budget and without injuries. [4289-4291](#)

Solving

In contrast to resolving issues, problem solvers adopt an [epistemological](#), approach, which is heavily reliant on research and scientific methods. It eschews qualitative processes in favour of objective analysis using quantitative data. This suits tractable or mechanistic systems and involves techniques such as [fault tree](#), [event tree](#) and [human reliability analysis](#). These tools are favoured by chemical engineers and are commonly used in the military or petrochemical industries. [4292-4294](#)

This provides a logical analysis of what happens before and after an event and identifies its [mechanisms](#) and outcomes. It can also integrate human reliability analysis into fault trees for [sociotechnical systems](#). However, this fails to account for many of the abstract and incalculable elements associated with [human behaviour](#), which makes the allocation of probabilities extremely difficult. [4295-4297](#)

Mechanistic assumptions frequently involve [binary reasoning](#) and do not address the interdependency of individual elements. This may neglect essential synergistic or antagonistic properties of the entire system and what are often perceived as facts may only be abstractions with an extremely tenuous link to reality. [4298-4300](#)

Dissolving

The limitations of resolving and solving tactics has resulted in the emergence of an innovative and alternative concept, which involves dissolution of problems. This is accomplished by changing the situation or environment in which the impediment is embedded to eliminate or remove the problem. The objective is to achieve a desired state where the condition cannot arise and it is often termed the design approach. ⁴³⁰¹⁻⁴³⁰³

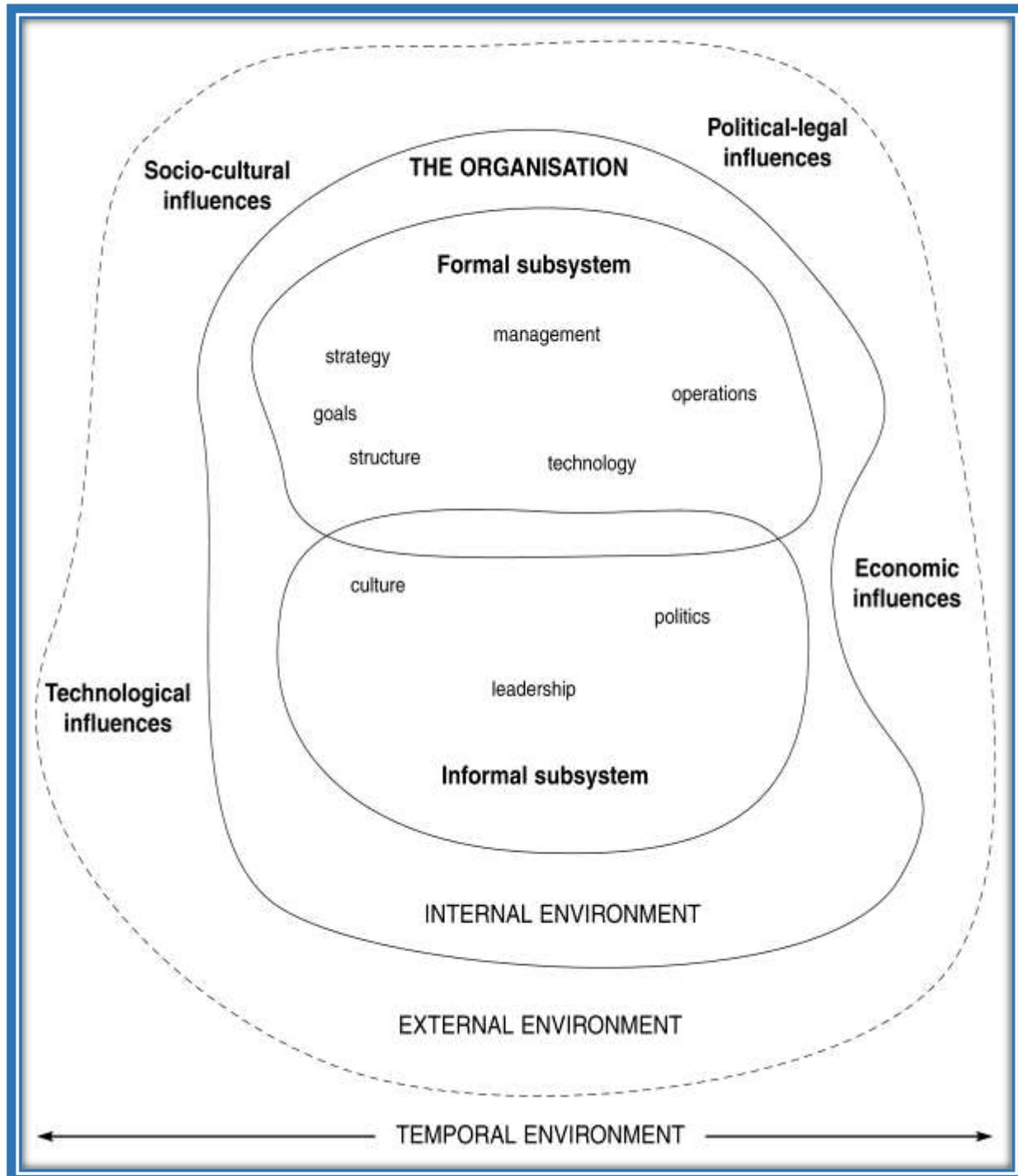
This targets reconfiguring the entire system that contains the problem with a focus on changing structure, systems and processes. It promotes **discernment** and reflects **Gibson's** approach and **affordance theory**, which aligns with the principles of **risk and energy damage**, **operational excellence** and **high reliability organisations**. Only a minority of project managers and safety professionals embrace this philosophy, which focuses on development as opposed to growth or survival. A rubbish dump can grow without developing but a person can develop without growing. ⁴³⁰⁴⁻⁴³¹¹

Organisational development

Most of the literature covering organisational change recommends redesign at every structural level. This includes corporate strategy, structure, processes, work groups and individuals. It requires management of meaning and exercising power skills to intervene with political and cultural systems. **Hard systems** change management uses a scientific and mechanistic approach and often assumes people make rational decisions to solve problems. This neglects the complexity of **sociotechnical systems** and can disregard the critical significance of cultural, political, symbolic and cognitive dimensions frequently associated with organisational life (**Figure 25** and **Figure 26**). ⁴³¹²⁻⁴³¹⁶

There is often disagreement on what constitutes the problem let alone what changes are required, which creates untold confusion. The purpose of specific strategies and protocols and why they are adopted is often challenged by people but never reconciled. Alternative **soft systems** change management approaches using **organisational development** techniques are required. This focuses on the entire system, the significance of people and **adaptive and generative learning**. The **Lewin** three phase model and **Bolman and Deal's** reframing process provide further extensive analysis. However in large scale applications, it is critical to remember that culture follows structure. ⁴³¹⁷⁻⁴³²¹

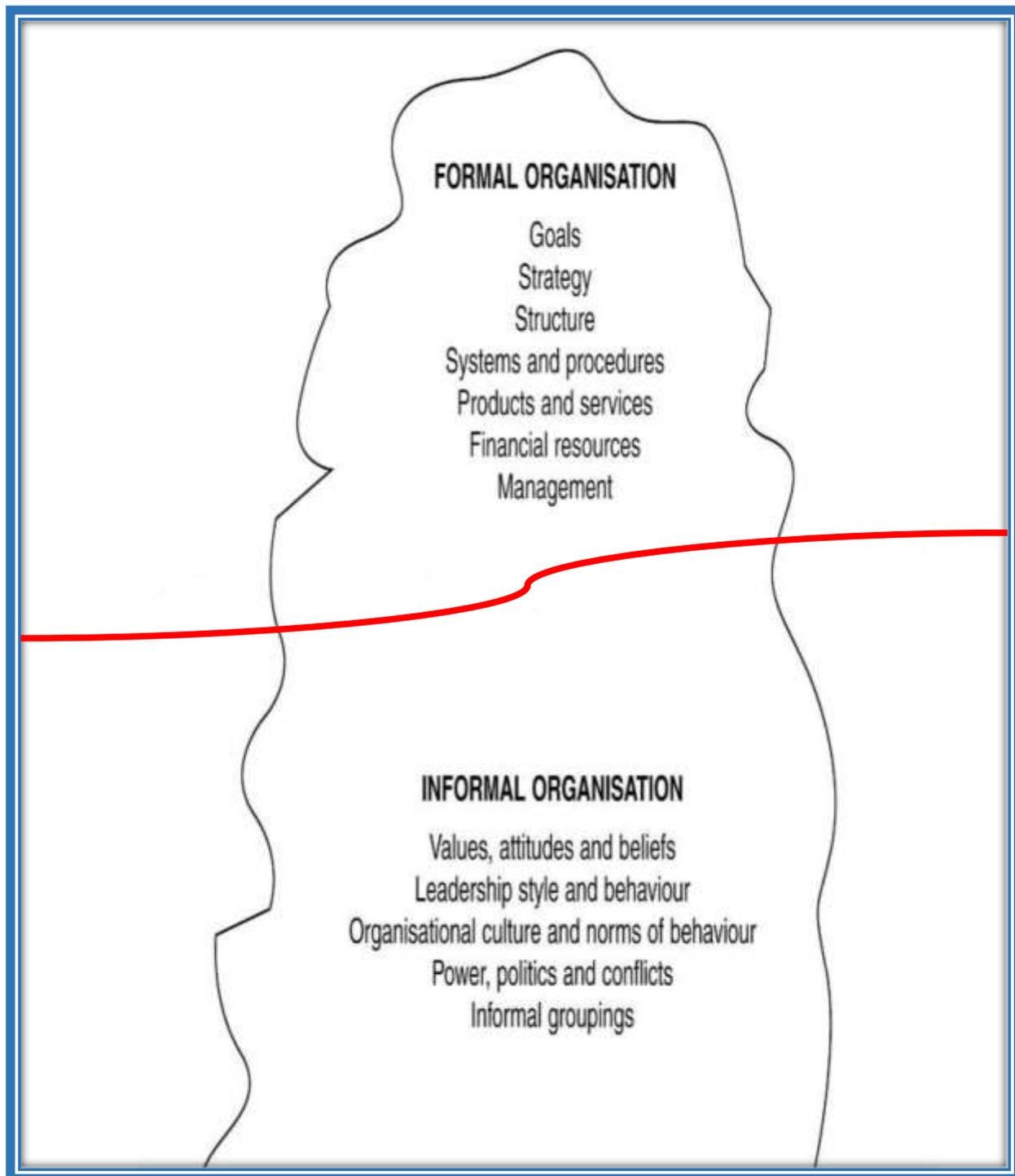
Figure 25: Organisational system in a multidimensional environment



Organizational Change 4th Edition Barbara Senior & Stephen Swailes 2010

(The organizational system in multidimensional environments; p. 24)

Figure 26: Formal and informal organisational structures



Organizational Change 4th Edition Barbara Senior & Stephen Swailes 2010

(The organizational iceberg; p. 128)

Risk and energy damage theory - A process based approach

Ask not what's inside your head but what your head's inside of

William M Mace ⁴³²²

Despite its conventional recognition by many organisations and safety evangelists, when subjected to critical evaluation, [accident theory](#) is lacking in logical analysis and scientific rigour. [Haddon et al](#) reinforced that science must be based on an understanding of its fundamental processes rather than using descriptors. [Accident theory](#) was reviewed during road safety research in the United States and the discipline was described as being in a state of conceptual rigor mortis. ⁴³²³⁻⁴³³¹

Convergence of ideas

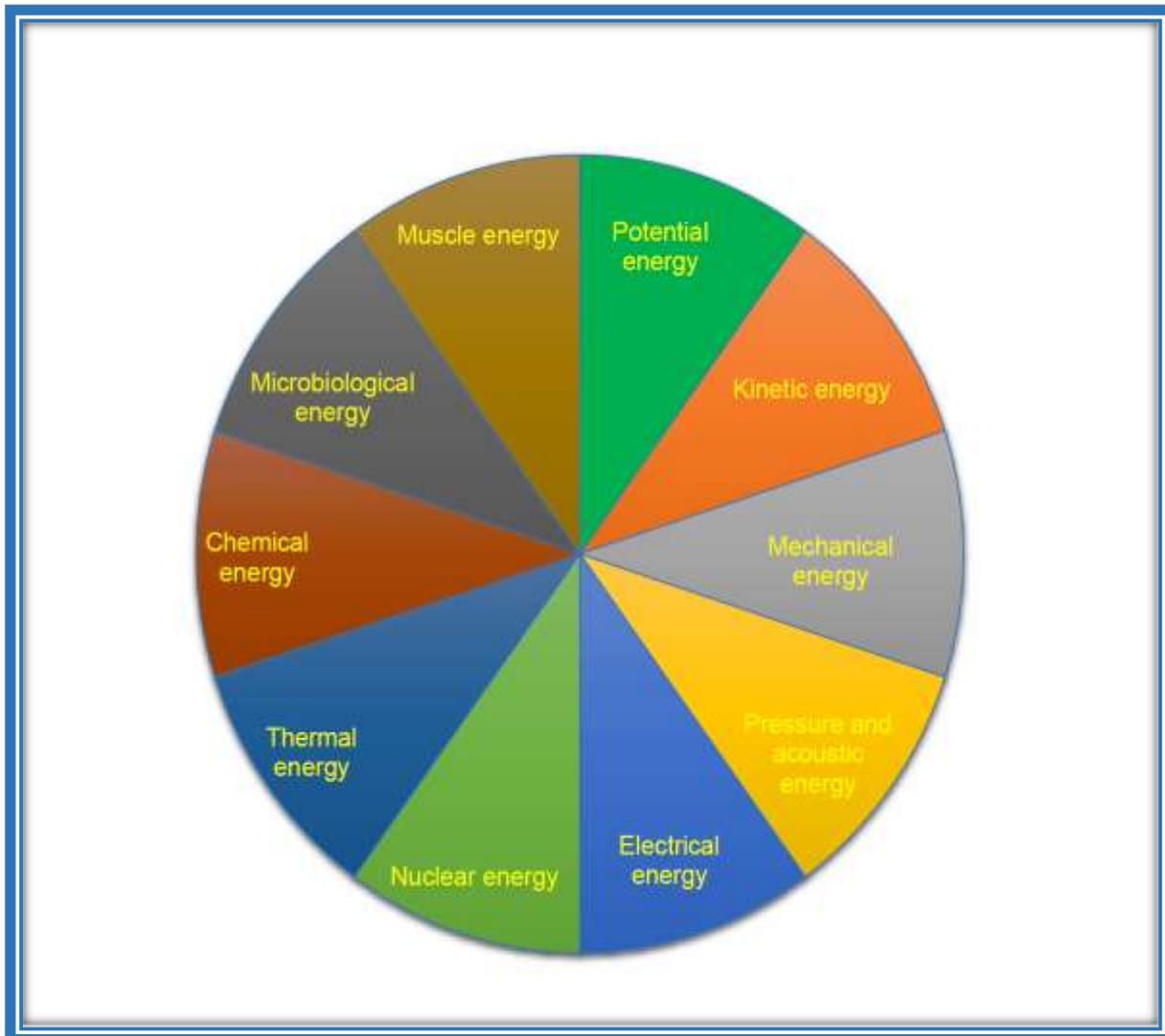
In the 1950s, [Gordon's](#) epidemiological research merged with [Gibson's](#) ecopsychology principles and [affordance theory](#). Recent developments include integration with [Haddon's](#) tiger strategies and a convergence with [Rowe's](#) anatomy of risk. This has been reified by [Viner's](#) extended energy damage and generalised time sequence model, which provides safety with a uniform process based theory. It adopts an objective and scientific evidence based approach consisting of three principal features. Events resulting in injury or damage involve a transfer of [energy](#) and the process occurs sequentially with a degree of uncertainty or risk. ⁴³³²⁻⁴³⁴²

Energy damage

[Energy](#) is defined as the ability to do work, which is a product of the application of a force to an object and the distance it moves in the direction of the applied force. Its standard unit of measurement is the [Joule](#). The term damage indicates that an object or person has been adversely affected and can be loosely defined as a preventable change to the desirable qualities of anything we value. Physical laws prove that whenever this occurs it involves the transfer or release of a sufficient amount of [energy](#). In a closed system [energy](#) can neither be created nor destroyed and is merely changed from one form to another. ⁴³⁴³⁻⁴³⁴⁶

A [hazard](#) is somewhat loosely defined as a source of potential harm, which could include a parliamentary budget speech or listening to rap music. However, the definition offered by [Viner](#) as a potentially damaging [energy](#) source is much more meaningful and objective and specific examples are detailed in [Figure 27](#). ⁴³⁴⁷⁻⁴³⁵¹

Figure 27: Energy damage wheel of death



Generalised time sequence model

Energy sources are normally contained but when the control mechanism fails an event occurs, which is defined as the loss of control of a potentially damaging energy source. The generalised time sequence model analyses how the energy damage process evolves using three distinct time zones. It examines enabling conditions and circumstances, which include prerequisites and the event mechanism. The prerequisites or latent conditions establish why the event occurred and include organisational factors, the environment, plant and equipment, the nature of activities and the work groups and people involved. The mechanism determines how the event unfolds and investigates the failure of controls. These are termed active failures and analysis confirms whether malfunctions are intentional, unintentional or incidental. ⁴³⁵²⁻⁴³⁵⁵

Concluding conditions and circumstances involves outcome and consequence analysis following the event and its impact on susceptible assets and people. It establishes if the threat is antagonistic, immediate or prolonged and determines the effectiveness of any response to divert, absorb or remove assets and people. It also evaluates the extent of damage, injury or loss, which is dependent on limiting the consequences, contingency planning, emergency preparedness, rehabilitation and repair. The extended energy damage and generalised time sequence model is featured in Figure 28. ⁴³⁵⁶⁻⁴³⁵⁹

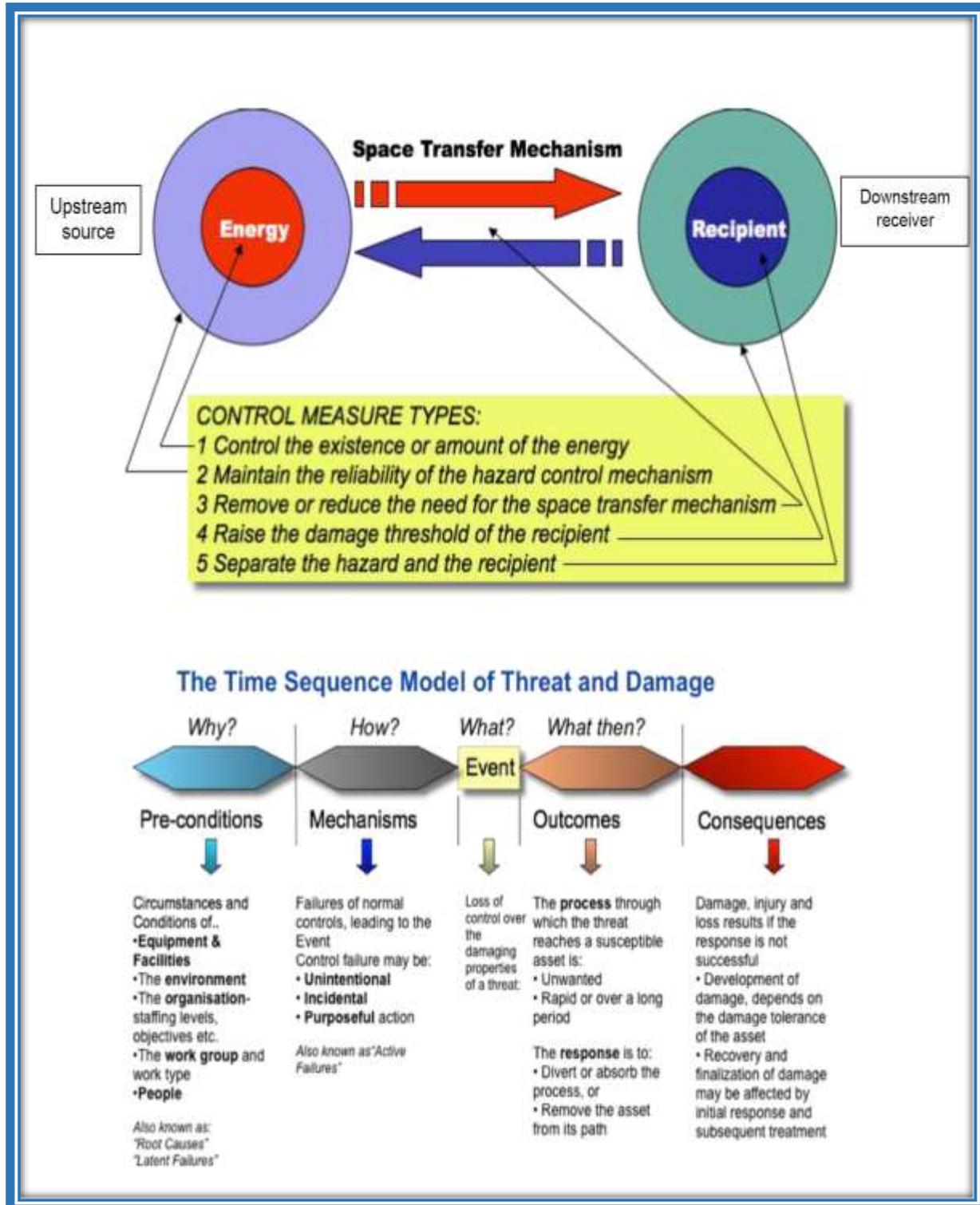
Uncertainty

A fundamental tenet of risk theory is that if something is possible it is only a matter of time before it happens. Risk is defined as the effect of uncertainty on objectives, which encompasses speculative risk. However, pure risk, which is more applicable to industrial safety, is the uncertainty that an adverse consequence of a given size will occur. ⁴³⁶⁰⁻⁴³⁶²

Frequency is a critical parameter in risk estimation and is a function of probability and exposure. It enhances perception of risk based on experience and displays an inverse logarithmic relationship with consequence value (Figure 29). ⁴³⁶³⁻⁴³⁶⁵

This reifies risk and enables it to be measured objectively, quantitatively and fiscally using real numbers. It offers a logical approach with a rational and simple appreciation of the correlation between risk and loss, which is reinforced by comments from the late Trevor Kletz.....*If you think safety is expensive, try an accident.* ⁴³⁶⁶

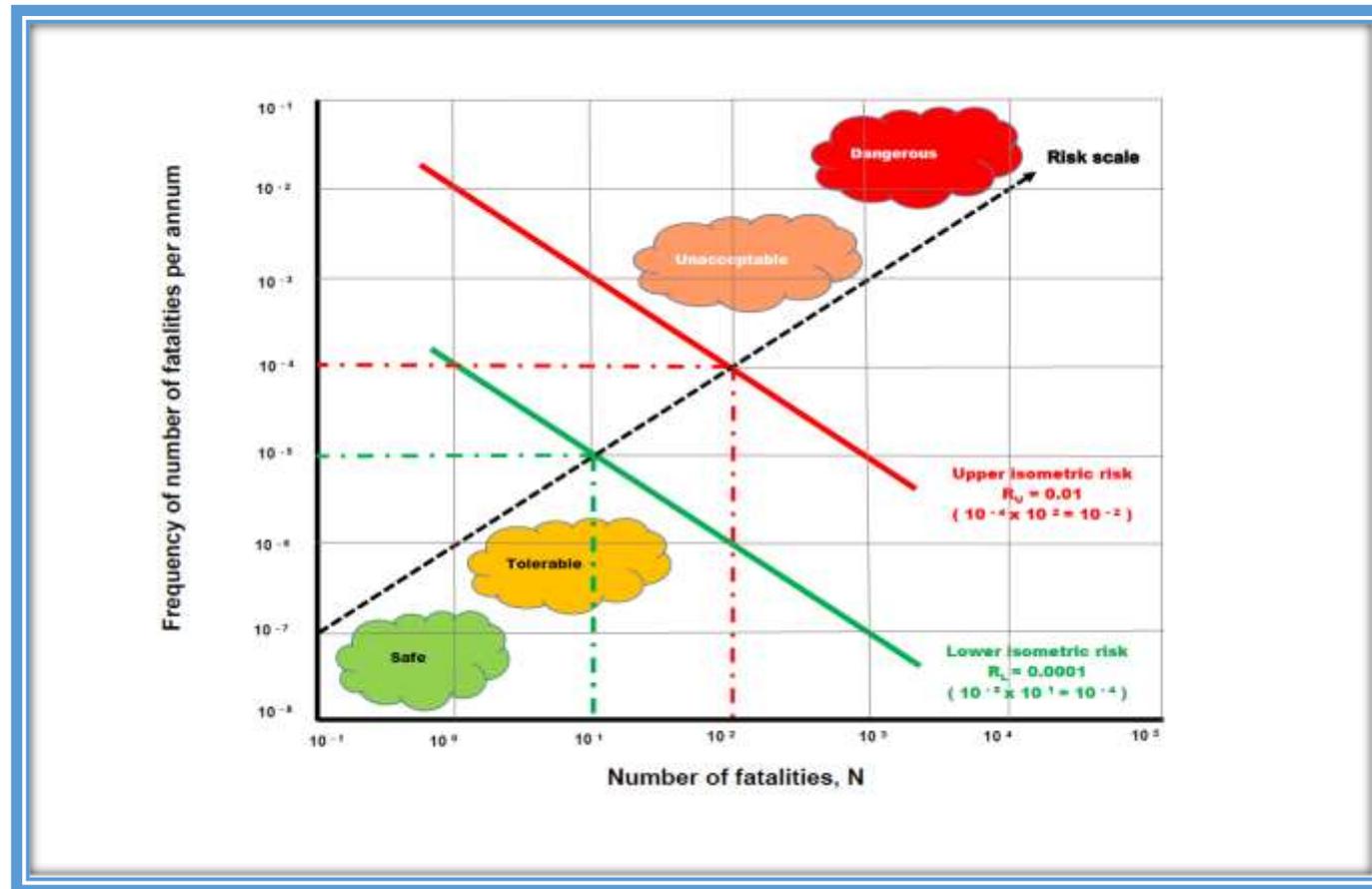
Figure 28: Extended energy damage and generalised time sequence model



Occupational Risk Control: Predicting and Preventing the Unwanted – Derek Viner 2015

(The energy damage and generalised time sequence model; p. 33 and p. 46)

Figure 29: Frequency v consequence value



Occupational Risk Control: Predicting and Preventing the Unwanted – Derek Viner 2015

(After Figure 8.3 - Defining the terms safe and dangerous. Kindle edition, Page 133 and UK Health & Safety Executive - Societal risk criteria)

Safe, unsafe or dangerous?

On most construction projects the words safe, unsafe and dangerous are often used irrationally and synonymously without any discernment. The risk diagram in [Figure 29](#) examines [societal risk criteria](#). It identifies the area immediately below the lower isometric risk line as tolerable and albeit judgementally, the risk can be conceivably classified as acceptable. However, governments are invariably and extremely risk averse and the area above the upper isometric risk line is explicitly categorised as unacceptable. [4367-4370](#)

The diagram indicates the highest level of risk is in the top right hand corner with the lowest value situated in the bottom left hand region. The two isometric risk lines have a negative 45° slope and are a function of frequency of the number of fatalities per annum and the number of fatalities and its risk scale has a positive 45° slope. The upper isometric risk line (R_U) has a constant unacceptable numerical risk value of 10^{-2} and the lower isometric risk line (R_L) has a constant tolerable numerical risk value of 10^{-4} . The lower left corner is classified as safe but the possibility of a fatality still exists because the [energy](#) source and exposure to it remains and zero risk, by definition is impossible. It is quite evident the upper right region is predictably the most dangerous. This approach offers a rational definition of safe as a tolerable degree of risk whereas dangerous is considered unacceptable. Neither safe nor dangerous are discrete points on the risk diagram but they are most applicable at the lower and upper extremes of the risk scale. This ranges from 10^{-8} near the bottom left corner and increases to 10^2 in the top right hand region. [4371-4372](#)

The terms safe, dangerous, tolerable and unacceptable are inherently pejorative and risk can be regarded as either safe or dangerous by any interested parties. It is often categorised according to individual or group [perceptions](#), which are influenced by many exogenous and endogenous factors. Legislation generally uses broad statements such as.....*to secure the health and safety of workers* but offers no definition to accompany its judgemental terminology. However, a tolerable risk can be classified as one in which the standard of control is proportional to the likely worst consequence. This must also be acceptable to the specific individual, the general community and other interested parties. The main objective is to establish an acceptable standard of risk control and not to select a particular cell in the risk matrix or decide how much risk is tolerable. [4373-4375](#)

Risk perception

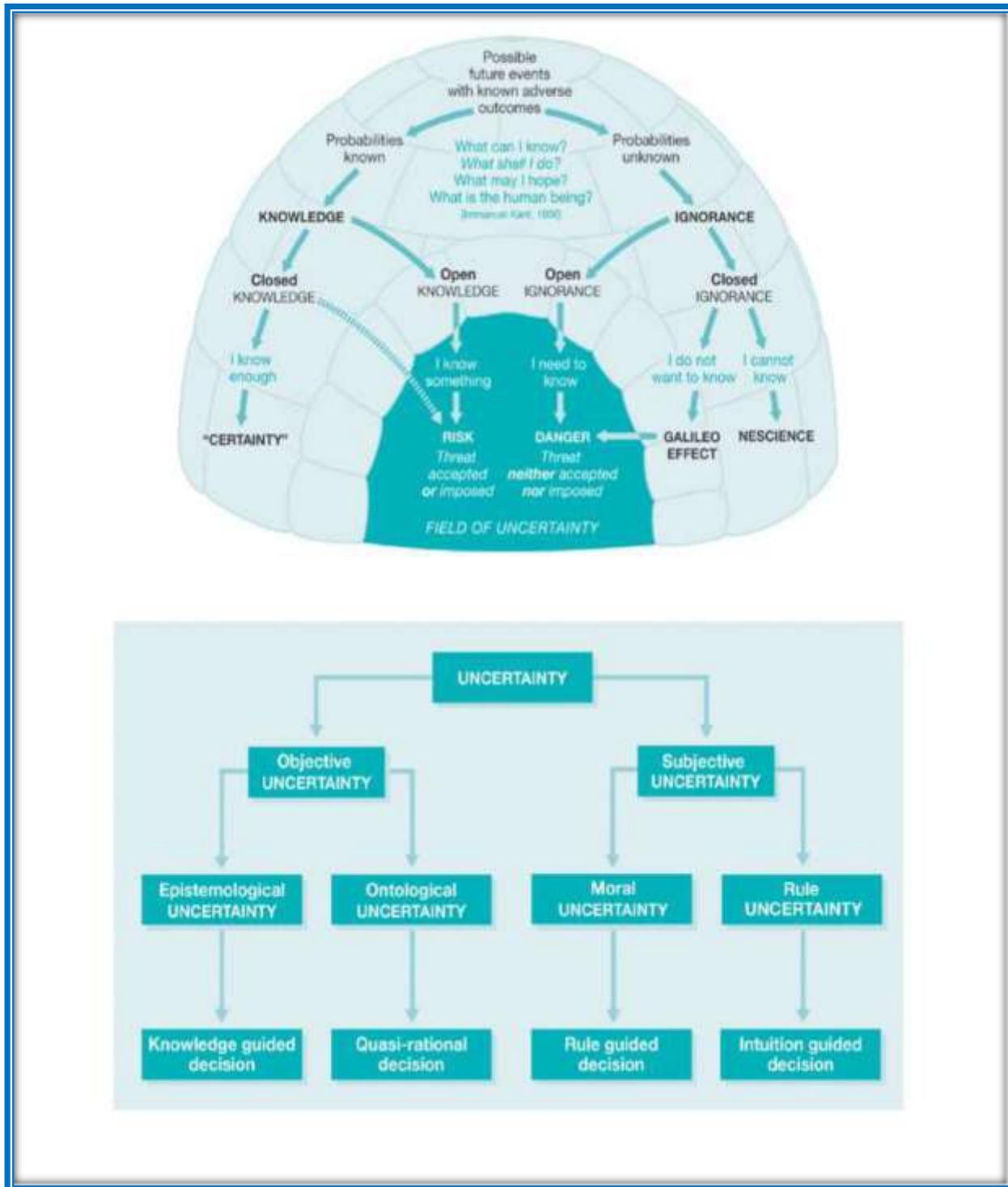
Contemporary approaches to risk are broadly categorised as intuitive subjective speculation or rational objective evaluation. The dichotomy originates in Greek philosophy with its subjective and objective quest for truth. It has generated intense conflict between the laity and risk professionals through emotive and political debates over scientific facts and the elaborate public perception of danger. Subjective judgements about risk usually occur spontaneously and it is evaluated via experiential thinking and often perceived as reality. This manifests via risk as feelings with an instinctive response to danger and remains the dominant paradigm for accepting risk, irrespective of any scientific objective evaluation. Disputes inevitably arise during discussions over emerging or innovative technology, natural disasters, nuclear energy, environmental pollution, climate change, public health, terrorism and gun control. An interesting taxonomy is offered by Tannert et al, which provides an extensive review of the [precautionary principle](#), [ethics of uncertainty](#) and [decision making](#) via their igloo of ignorance (Figure 30). ⁴³⁷⁶⁻⁴³⁷⁹

The technical concept is somewhat [objective](#) with a narrow focus and is normally expressed as a function of [probability and consequence](#). It is relatively simple to understand, which implies it can be accurately measured and effectively managed. This generates a chimera via an inequitable and inhumane number although the potential consequences can vary significantly amongst individuals, groups and endangered communities. ⁴³⁸⁰⁻⁴³⁸³

The laity perspective of risk is quite complex, extremely [subjective](#) and influenced by community, individual or group attitudes and values. It is particularly dependent on the situation and creates an intriguing societal dilemma whereby public policies, which are underpinned by [objective quantitative analysis](#), conflict with the general public response. This reflects and aligns with [utility theory](#), [the law of diminishing marginal returns](#) and [Bernoulli's hypothesis](#), which states that one should not accept a high risk option if potential returns provide insignificant utility or value. ⁴³⁸⁴⁻⁴³⁸⁹

Several theories have evolved to explain [risk perception](#) using [psychology](#), [anthropology](#) or [sociology](#) and [transdisciplinary](#) approaches. This offers some clarification why similar risks can be evaluated objectively but are perceived in different ways to produce an unexpected, subjective and politically emotive response from the laity. ⁴³⁹⁰⁻⁴³⁹⁴

Figure 30: Igloo of ignorance



EMBO Report: The ethics of uncertainty: In the light of possible dangers, research becomes a moral duty – Tannert et al; 2007

(The igloo of uncertainty and taxonomies of uncertainties and decisions)

Rowe, Viner, Kasperson and Slovic provide extensive reviews of the social and personal contexts pertaining to risk and identify many of the interrelated aspects which can significantly influence community, individual or group responses. [4395-4398](#)

Endogenous risks for a risk agent are typically self-imposed and often include domestic and recreational activities. A **voluntary** and equitable risk provides freedom of choice and allows the exercise of free will with an opportunity to evaluate benefits. A knowledge of the risk implies the agent understands it exists and is aware of the consequences. [4399-4401](#)

Exogenous risks are imposed by external factors and usually involve events such as extreme weather conditions and other natural disasters. An involuntary and inequitable risk does not provide freedom of choice or allow the exercise of free will and prevents the agent from evaluating benefits. However, the agent may be indifferent to the risk and makes no attempt to understand the **mechanism** or recognise the consequences. If the agent has no knowledge of the risk, a general uncertainty may prevail or information has been deliberately withheld. This occasionally arises when symptoms are latent and manifest following prolonged periods of exposure. It was particularly evident with **asbestos**, coal dust and respirable crystalline silica. [4402-4406](#)

In the early 1900s many revanchists in the United States advocated that inhalation of **coal dust** provided protection from tuberculosis and it received considerable support, especially from the Pennsylvanian coal companies. A presentation to the British Medical Association suggested the rarity of consumption in coal workers was attributed to special protective features in coal mining operations. It provided an extraordinary citation promoting the beneficial antiseptic properties of carbon. Further research into occupational medicine and dust diseases during the 1920s pronounced the body's natural defences were quite capable of defeating potential lung disorders such as **coal workers' pneumoconiosis**. This lucratively diverted attention from the deleterious effects of respirable coal dust. [4407-4409](#)

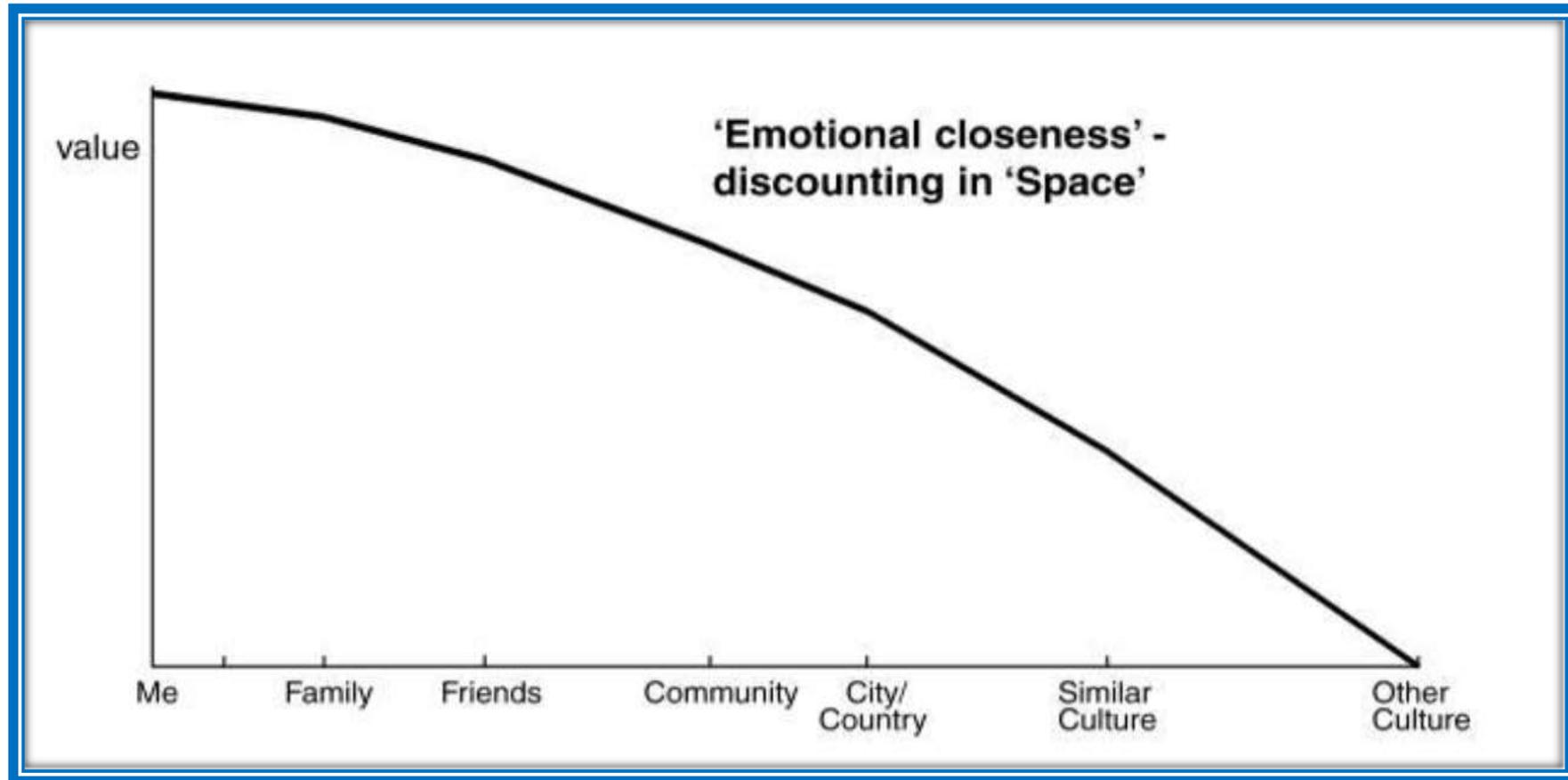
The personal context in which risk is experienced is extremely sensitive and may appear irrational. In certain situations public response is expressed via primitive outrage whilst identical objective risks are tolerated or attenuated and treated with indifference or disdain. Several classic examples include **smoking, driving without seatbelts, aflatoxins in peanut butter** and **exposure to radon**. [4410-4412](#)

Research during the late 1980s identified three principal and interrelated features which influence [communal response to risk](#). These include anxiety or the dread factor, knowledge of the risk and the magnitude of its consequences. The dread factor specifically relates to the perceived worst consequence and a notion of uncontrollability. The state of knowledge can range from familiar through to unknown and often encompasses uncertainty, especially with nuclear energy, public health, gun control, terrorism and other events involving potential catastrophic consequences. It generates strong and visceral emotions such as fear that generally amplifies risk or even anger, which has the opposite effect and attenuates judgement. [4413-4419](#)

Emotional proximity has a significant influence on risk perception and the impact unsettles individuals, immediate dependents and extends to families, close friends, communities and different nationalities or cultures ([Figure 31](#)). Following the 1966 [Aberfan](#) tragedy, controversial assessments were proposed by the government to substantiate bereavement claims from grieving families. Class actions have also been reignited against the South Yorkshire and West Midlands police forces. This followed a recent independent inquiry, which returned verdicts of unlawful killing arising from the 1989 [Hillsborough](#) soccer stadium disaster. Accidental death rulings were annulled by a high court decision but the latest findings, whilst welcomed by bereaved families and dependents, will inevitably generate debate about the definition of [lawful killing](#). [4420-4424](#)

Risk is significantly discounted following adverse events and time heals all wounds with an inevitable diminishing consequence value ([Figure 32](#)). Following serious incidents an executive fiat immediately prohibits similar activities, which generates anxiety at operational and tactical levels. The atmosphere is like walking on eggshells but six to eight weeks later behaviour returns to normal and the consequence value is disregarded or overlooked. It is especially evident with driving behaviour following the receipt of infringement penalties for speeding or running red traffic lights. The possible worst consequence is normally emphasised to the exclusion of other considerations despite evidence of low probability. This often emerges during debates over nuclear energy and waste processing and the [not in my back yard](#) and [locally undesirable land use](#) syndromes frequently arise. [4425-4431](#)

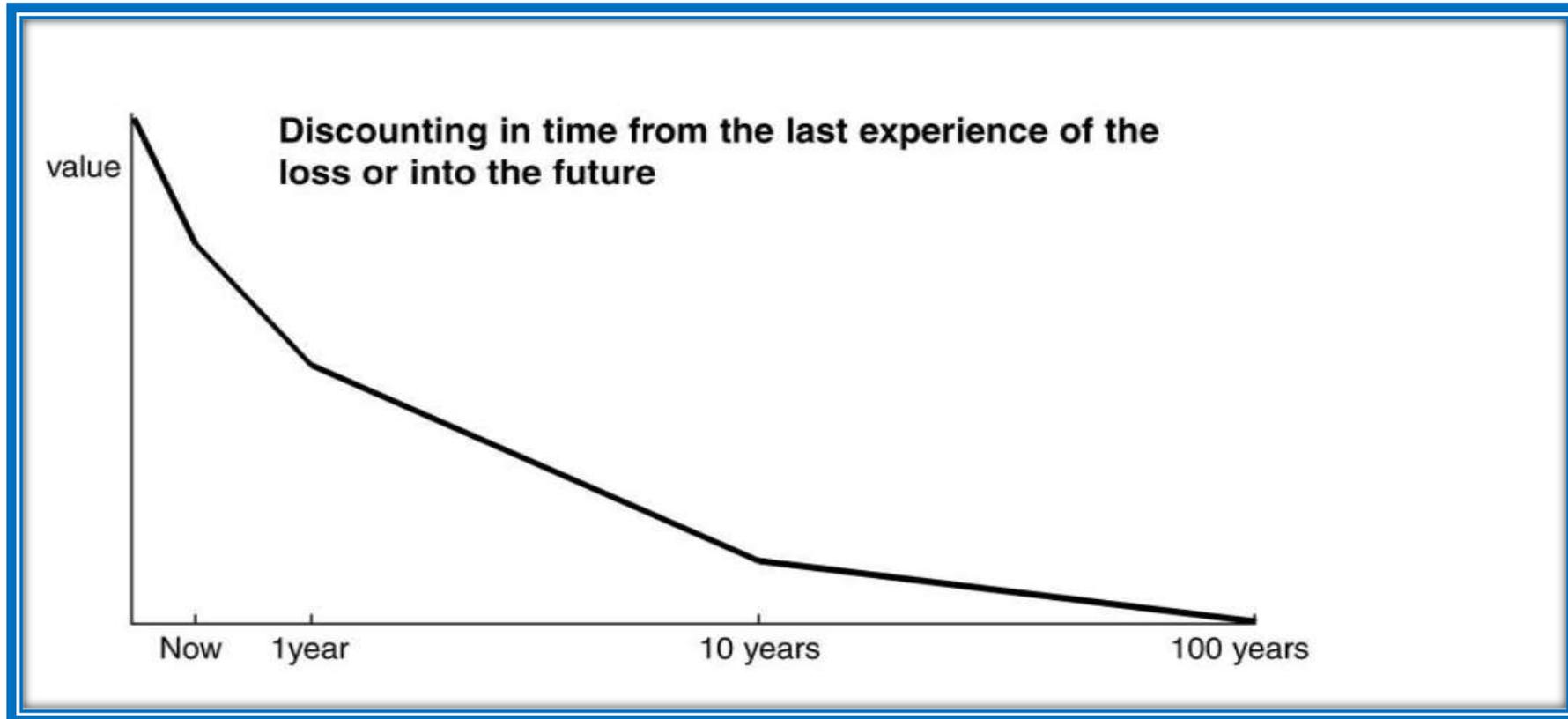
Figure 31: Risk perception and emotional proximity



University of Ballarat Graduate Diploma Occupational Hazard Management

(EV 491 Control of hazards – Accident analysis models course notes and handouts 2003)

Figure 32: Risk perception and discounting over time



University of Ballarat Graduate Diploma Occupational Hazard Management

(EV 491 Control of hazards – Accident analysis models course notes and handouts 2003)

Communities will argue vehemently that the consequences are unacceptable no matter how low the calculated probability. Individuals invariably judge the probability as irrelevant, especially if personal consequences are unacceptably high. This dilemma is regularly experienced if a person ever requires radical corrective surgery such as lumbar spinal fusion. It is usually reinforced by a caveat from the medical profession stating surgical treatment via a general anaesthetic is the last resort. ⁴⁴³²

The dread factor described by Slovic includes feelings of horror, revulsion or fear. It is influenced by the perceived worst consequence and its uncontrollability. This was especially evident during the Ebola outbreak and public response was provoked by classic ingredients of entropy, catastrophic potential, involuntary exposure and fatal consequences. Virologists confirm it is not easy to catch and does not spread like wildfire as depicted in Hollywood or on commercial television. It cannot be transmitted through coughs and sneezes like common colds and influenza. The modes of transmission are quite complex and involve contact with bodily fluids such as the blood or vomit of infected persons. ⁴⁴³³⁻⁴⁴³⁴

The impact of trust is also an important factor, especially when personal control over a feared or involuntary risk is minimal. Integrity is often eroded by any perceived vested interests and establishing public trust is quite complex. It is asymmetric and difficult to create, simple to destroy and almost impossible to regain once it is lost. ⁴⁴³⁵⁻⁴⁴³⁸

The most frequent consequences also receive an inordinate amount of attention despite their insignificance. This is often evident during safety committee meetings with prolonged insufferable discussions over defective tap washers or broken light bulbs. It frequently occurs through excessive monitoring of unsafe acts and conditions via demoralising behavioural safety observations or futile repetitive inspections to fulfil allocated key performance indicators. ⁴⁴³⁹⁻⁴⁴⁴⁰

This merely generates pettifogging, which incubates the deadly diseases of blame and fear and diverts attention from operational or material risk. It is somewhat astonishing that deep water drilling in the Gulf of Mexico proceeded without prescribed requirements for critical negative pressure testing. However, failing to maintain three points of contact using stairwells or walking around corporate offices without the lid on a cup of coffee attracts disciplinary action. ⁴⁴⁴¹⁻⁴⁴⁴³

Anthropology or sociology approaches to risk perception are underpinned by cultural theory, which defines risk as a joint product covering knowledge of the future and consent regarding the most desired prospects. It implies differences in culture arise from symbolic dimensions of social studies and other topics such as art, religion, ideology, science, law, morality and common sense, which can significantly influence community response. The theory also reinforces that risk perception does not occur in a social vacuum and judgement of danger and acceptance of risk is a function of collective cohesion and cultural support. ⁴⁴⁴⁴⁻⁴⁴⁴⁵

Political conflict over air pollution and nuclear power during the 1980s generated extensive research from Douglas and Wildavsky using group and grid dimensions. This suggests perception of risk is manipulated through collectivism, individualism, egalitarianism and fatalism, which are socially constructed by institutions and cultural beliefs. It implies individuals selectively respond to risk according to preferred conventions. Cultural theory offers an interesting alternative but attracts extensive criticism mainly because it diverges from the conventional psychometric paradigm and philosophy of rational choice. ⁴⁴⁴⁶⁻⁴⁴⁵²

However, more recent developments at Yale Law School include the cultural cognition project, which adopts a transdisciplinary approach. This involves a convergence of ideas and integration of cultural theory with the psychometric model and behavioural economics. It has been substantiated by recent surveys in the United States covering an extensive range of societal risks. The study used selected group and grid scales to reflect and align with two distinct dimensions of social organisation. Surveys indicate cultural polarisation is evident across a wide range of societal risks, which included climate change, gun control, public health and terrorism. The selected group and grid dimensional scales had a profound impact on risk perception and were more predictive than traditional social categories of gender, race, education, personality, political affiliations and socioeconomic status. ⁴⁴⁵³⁻⁴⁴⁵⁶

Further research in the late 1980s focussed on transdisciplinary approaches with the integration of concepts from communications theory. This examines how risk is manipulated through its interaction with psychological, social and cultural processes, which amplifies or attenuates public perception. It is also worth reflecting on H. G. Wells.....*We must not allow the clock and the calendar to blind us to the fact that each moment in life is a miracle and a mystery.* ⁴⁴⁵⁷⁻⁴⁴⁵⁸

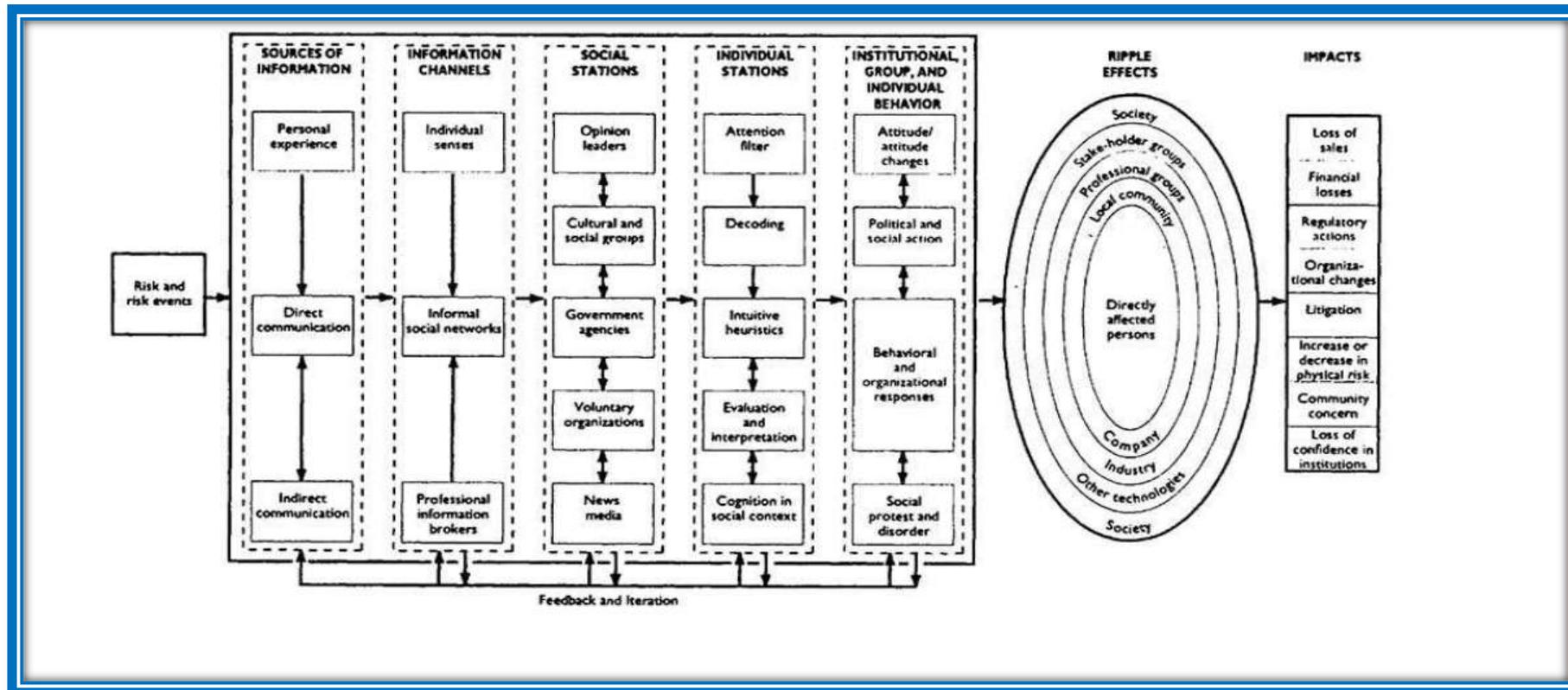
Social amplification and attenuation of risk

Contemporary research into [transdisciplinary](#) approaches describes risk as a phenomenon consisting of biophysical attributes and social dimensions. Existing assessment and management techniques are somewhat ineffective and fail to fully appreciate the social context or recognise the subjective speculation and objective evaluation dichotomy. The [social amplification or attenuation](#) of risk offers an integrative approach, which implies that absolute and socially determined risk are an illusion. The framework recognises how institutions and structures process risk and that social interactions may amplify or attenuate public response. It also examines the impact on individuals, groups and the community and the response from government, corporations and its employees ([Figure 33](#)). ⁴⁴⁵⁹⁻⁴⁴⁶¹

[Amplification or attenuation](#) occurs by many mechanisms but society generally learns about specific events indirectly through information systems and technology as opposed to direct personal experience. Mass media is the most common and effective communication network for manipulating community response to risk via its multiple and often conflicting roles. This is accomplished by the extent of coverage with 24/7 news broadcasts, the volume of information and framing the risk through symbols, metaphors and discourse. The degree of escalation or diminution enhances or contracts ripple effects, which significantly influence behavioural response. This produces secondary and tertiary impacts that control societal reaction and if any stigma prevails the consequence is dynamic and often persistent. Many high profile events offer substantive evidence covering the social amplification or attenuation of risk. ⁴⁴⁶²⁻⁴⁴⁶⁷

During 1917 the [Radium Girls](#) flocked to work in factories throughout New Jersey and Illinois painting the dials of watches, clocks, compasses and other military instruments. There was plenty of competition for jobs and the naïve young women were lured via a prestigious and patriotic wartime crusade with offers of a lucrative salary. The work involved lip pointing to hone the tips of paint brushes and delicate painting with Undark, an intriguing luminous amalgam containing radioactive radium. The young ladies were told the paint was harmless and actually beneficial for their health although [Marie Curie](#), who discovered the element eventually succumbed to [aplastic anaemia](#) and its deleterious health effects were well established. After several years of exposure many of the girls became violently ill and symptoms included loose teeth, halitosis, excruciating pain and rotten jawbones. ⁴⁴⁶⁸⁻⁴⁴⁷¹

Figure 33: Social amplification and attenuation of risk framework



Risk perception – Eric Marsden 2015

(Available from: <https://www.slideshare.net/EricMarsden1/risk-perception-48044005> Slide 37)

The first victim died in 1922 aged just 24 years and her death was recorded as syphilis, much to the dismay of her family and close friends. Sickness continued with evidence of decaying teeth, friable bones and disintegrating spines. The owners denied it was happening and subsequent autopsies by company appointed doctors disguised the cause, whilst the death toll escalated. Radiation levels were falsified or concealed, although two victims were buried in lead-lined coffins at the [Ottawa Oakwood Memorial Park in Illinois](#). ⁴⁴⁷²⁻⁴⁴⁷⁴

In 1934 a small group of courageous female employees took legal action against their employer, the [Radium Dial Company](#). Many were sick with anaemia, sarcomas, decaying jaws or amputated limbs and knew they were dying. Under a preferred sobriquet, entitled Society of the Living Dead, their tenacity prevailed with a concluding establishment of legal protection via federal health standards for future generations. During the trial, the company ceased operating but the owner soon opened another factory under a different name at nearby premises. Safer conditions were promised but radioactive waste was emptied into toilets and ventilation shafts discharged near an infants' playground. The sickness was unrelenting but the factory owner, city officials and most people in the region displayed a casual indifference. In 1978 federal inspectors found radiation levels significantly exceeded prescribed limits and the factory was closed. The saga has many similarities with other deadly industrial diseases such as [mesothelioma](#), [black lung](#) and [silicosis](#). ⁴⁴⁷⁵⁻⁴⁴⁸²

In upstate New York during 1892 [William T. Love](#) proposed development of a hydroelectric scheme to connect the upper and lower [Niagara Rivers](#). It involved construction of a large canal and harnessing water to provide cheap power for the community. However, following an economic depression, financial support for the project collapsed and it was abandoned, leaving behind a large open channel. The land was eventually auctioned and over many years it became a toxic waste dump for the [Hooker Chemical Corporation](#), a subsidiary of [Occidental Petroleum](#). It was also used as a municipal tip for the [City of Niagara](#) and by the [United States Army](#) for the disposal of chemical warfare, possibly from the [Manhattan project](#). The site was backfilled in the early 1950s, covered with earth and sold to the regional education board for the symbolic token of one dollar. The transfer deed with its asymmetric information included a let the buyer beware clause or [caveat emptor](#) disclosing the environs contained buried toxic chemicals and a disclaimer, which absolved the socially responsible company of any future liability. ⁴⁴⁸³⁻⁴⁴⁸⁷

In 1955 a newly constructed elementary school opened its doors at ground zero to an annual intake of almost 400 students and extensive urbanisation. The regional education board failed to appreciate the risk and details of the site history, previous owners or their activities were not released to unsuspecting residents or the public. It all appeared rather innocuous with little evidence that over 20,000 tons of toxic waste was buried beneath the surface whilst residential development continued apace. Authorities were soon besieged with anxious complaints about offensive odours and the inexplicable appearance of unidentified substances in the immediate environs. An insouciant response from city officials involved superficial site visits and leachates were merely absorbed with a veneer of fly ash. [4488-4490](#)

An independent study from the [Calspan Corporation](#) in the 1970s identified toxic airborne contaminants and waste chemical drums on or beneath the surface. It also reported pollution of the storm water system with carcinogenic [polychlorinated biphenyls](#). The city authority merely installed circulating window fans at selected residential properties. Public health problems soon emerged, including increased cancer rates, stillbirths and miscarriages, which were callously dismissed by health authorities as trivial housewife data. Birth defects were classified as genetic and sexual proclivity was categorised as the cause of urinary tract infections, although many of the disorders involved infants. Following sustained pressure from the [homeowners association](#), the disturbing plight of its residents captured international and nationwide interest and the site was eventually determined an emergency declaration area. [4491-4493](#)

In October 1980, [President Carter](#) ordered a total evacuation of the community and the federal government provided funds for relocation of over 800 families. It also created a Superfund scheme, which held polluters accountable and required organisations to restore contaminated sites. Rehabilitation took over 20 years and the government spent almost \$400 million to remediate the mess. [Occidental Petroleum](#), who also operated the [Piper Alpha](#) oil production platform in the North Sea, reimbursed \$129 million. Homes adjacent to the canal were demolished and only the creek and sewerage systems were cleaned. Federal regulators have since declared the area habitable and remaining homes outside an arbitrarily defined exclusion zone will be sold to naïve families. The title deeds will probably contain an unfathomable legal caveat drafted by an unprincipled Philadelphia lawyer to absolve local, state and federal governments of any future liability. [4494-4498](#)

The response from authorities, including health studies and evacuation of families was purely for political expediency and the protection of reputations. None of the decisions were based on scientific evidence and only the tenacity of a homeowner's association ensured affirmative action. In an era of universal deceit and scepticism, telling the truth becomes a revolutionary act and [Love Canal](#) provides yet another example of the repulsive effects of ruthless, socially autistic and amoral corporate behaviour. In the United States, [Love Canal](#) attracted extensive media coverage along with other significant events, which included the [Valley of the Drums](#) in Kentucky and recent pollution of the [Animas River](#) in Colorado. Meanwhile, the US federal government [trust fund](#) has evaporated, which reflects the intent and impact of [casino capitalism](#). Any future environmental risk and remediation costs will inevitably be borne by the community and its tormented taxpayers. [4499-4506](#)

Major environmental incidents throughout [Oceania](#) include the [Ramu Nickel](#) processing plant at Basamuk Bay near Madang, [Ok Tedi](#) in the [Western Province](#) Star Mountains of Papua New Guinea, [Panguna](#) copper mine on Bougainville Island and [Gold Ridge](#) at Guadalcanal. In Australia, [pollution](#) from the mothballed [Baal Gammon](#) copper mine was recently identified in the Walsh River south west of Cairns. [Lead and zinc](#) concentrate spills during the loading of barges at the [Glencore McArthur River](#) mine Bing Bong port near [Borrooloola](#) have occurred for almost a decade. Evidence from a [parliamentary inquiry](#) suggests that [contaminated water](#) and unacceptable practices at the [Country Fire Authority \(CFA\) Fixville](#) training college may have caused cancer and other illnesses amongst numerous firefighters and local residents near Ballan, west of Melbourne in Victoria. Farmers and families are also seeking compensation following contamination of water supplies from [perfluorinated firefighting foams](#) used at several [regional air force bases](#). Elevated levels of carcinogenic [trichloroethene](#) have been reported in several suburbs across Adelaide. [4507-4519](#)

Many of these events are influenced by the political economy and the long march of [neoliberalism](#). This gained traction during political upheaval in Chile, which stimulated the economic philosophy of [Milton Friedman](#). It intensified during the [Thatcher](#) and [Reagan](#) era and continued unashamedly under [Blair](#) and [Clinton](#). The ultimate objective of [neoliberal economics](#) is to extirpate humanitarian or social reforms of democratic governments, which include health care, education, social security and superannuation. This relentless campaign polarises society and creates inequality, [peonage](#) and [indentured servitude](#). [4520-4522](#)

Irrespective of political allegiance, if [subjective risk](#) is perceived as reality it must be brought closer to [pure risk](#). This can be accomplished through education and learning to identify [wicked problems](#) and make subjective estimates much more explicit. It will enhance community awareness, generate trust and correlate with [objective risk](#). History may not repeat itself but is sure does rhyme and another chilling [Orwell](#) quote resonates.....*The further society drifts from the truth, the more it will hate those that speak it.* [4523-4524](#)

Gordian knot

The dichotomy between subjective speculation and objective evaluation covering industrial health and safety risks is best described as a [wicked problem](#). A complex enigma emerges, which often generates intense political debate over scientific facts and the elaborate public perception of danger. This challenges an organisation's capacity, capability and competency and places enormous strain on corporate governance structures. Moreover, traditional rational and objective solutions that are applied to tame problems are too mechanistic, ineffective and often produce toxic derivatives, which exacerbate the situation. [4525-4527](#)

[Wicked problems](#) are dynamic, socially complex, inherently unstable and extremely difficult to define. The nature and extent of the predicament varies between corporations and their lobbyists, governments, communities and individuals. Each version is usually fragmented and contains an element of truth although it cannot be fully substantiated. It is antagonised by many interactive causal factors and solutions often create unpredictable consequences, which are incongruous with objectives. Power is usually dispersed and accountability transcends internal corporate structures and organisational boundaries to include federal, state and local governments, society, community groups and individuals. [4528-4529](#)

In reality many of the problems are located somewhere on a wicked and tame continuum with no mercurial solution. Traditional adversarial techniques using [Maslow's hammer](#) with draconian legislation, industrial manslaughter, increased penalties and other sanctions are often counterproductive and merely create blame and fear. Recent research advocates a collaborative, innovative and flexible approach using [discernment](#) and consideration of the separation of power amongst major syndicates, groups, communities and individuals. [4530-4531](#)

An innovative concept based on the [Gordian knot](#) depicts the interrelationship between the context, people and systems ([Figure 34](#)). This considers the inherent instability of the situation and the environment in which the problem and solutions coexist and accounts for political, environmental, chronological and ideological constraints. The model signifies the diverse and extensive range of perspectives amongst different social groups or communities and their incompatible and competing values or ideologies. It features the complexity, ambiguity and interaction of systems and their contribution to the predicament, which also reflects and aligns with [Ackoff's](#) art and science of mess management. [4532-4535](#)

Figure 34: The Gordian knot



A Wicked Problem Model

Risky Conversations - The Law, Social Psychology and Risk

(Dr. Robert Long, Greg Smith and Craig Ashhurst - Chapter 8: Appendices; Page 133)

Cynefin framework

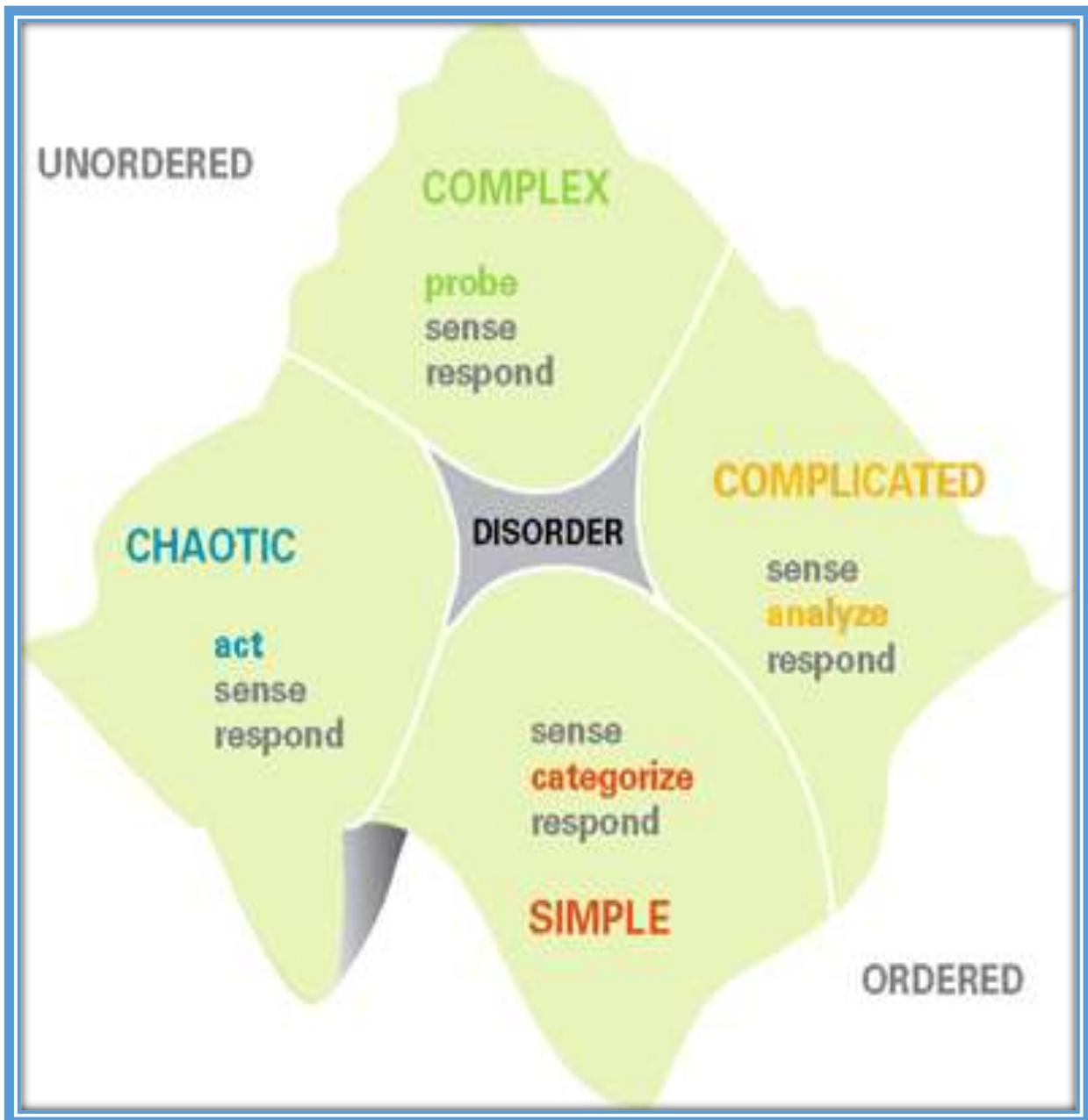
Effective leadership and decision making is not a one size fits all proposition and leaders must adapt their approach to align with situational complexities. This can be achieved using the Cynefin framework, which is a qualitative sense making model that enriches decision making in stochastic environments. It provides leaders with a sense of place to tackle risk, evaluate behaviour and afford an effective response to specific situations. ⁴⁵³⁶⁻⁴⁵³⁷

The framework was developed using a transdisciplinary approach from complexity, learning and network theories. It enables leaders to identify their perception of situations and elucidate their own and other people's behaviour. It consists of four principal domains or quadrants, each of which requires different actions (Figure 35). The simple and complicated domains apply to stable or predictable conditions with tangible cause and effect relationships and evidence based facts. The complex and chaotic quadrants cover unordered circumstances with emergent properties that require pattern based leadership. In this environment, any correlation between cause and effect is somewhat tenuous and is usually determined with the benefit and bias of hindsight. ⁴⁵³⁸⁻⁴⁵⁴⁰

The simple or obvious quadrant is the domain of best practice. It applies to tame, tractable and stable situations or known knowns involving a distinct cause and effect relationship. Problems are resolved rationally via a sense, categorise and respond approach using a defined procedure based on best practice and the effectiveness has been substantiated. It is underpinned by prescription using statutory legislation and standard operating procedures without any degrees of freedom. However, oversimplification and complacency can cause situations to deteriorate and rapidly degenerate into chaos. ⁴⁵⁴¹⁻⁴⁵⁴²

The complicated quadrant consists of known unknowns and is the domain of experts. Cause and effect relationships are not immediately apparent and require analysis of several options using collective specialist knowledge, good practice and evidence based facts. The situation requires a sense, analyse and respond approach using scientific, technological, engineering and mathematical techniques. However, expert panels often exclude novices, which may inhibit innovation and creativity and entrenched thought processes can produce analysis paralysis. Specialists groups can also cultivate groupthink, whereby the desire for harmony or conformity results in irrational decision making and dysfunctional outcomes. ⁴⁵⁴³

Figure 35: The Cynefin framework



The Cynefin Framework

A Leader's Framework for Decision Making

<https://hbr.org/2007/11/a-leaders-framework-for-decision-making>

The complex quadrant is the domain of [emergence](#) and applies to [unknown unknowns](#) or [wicked problems](#). [Complexity](#) often occurs following mergers and acquisitions and changes to the organisational structure, which produces instability and uncertainty. It requires creative and innovative ideas using probe, sense and respond tactics and collaborative exploration to gather additional data. Most importantly, it demands patience and tolerance, which allow instructive patterns to emerge amidst the [stochastic](#) environment. This domain presents several complex challenges because traditional leaders using [command and control](#) techniques are often extremely reluctant to tolerate failure or accept [fallibility](#). Moreover, tactics using simple solutions that successfully resolve tame problems may be ineffective. This can exacerbate confusion and create additional impediments such as [functional resonance](#). [4544-4545](#)

The chaotic quadrant is the domain of rapid response and is defined by extreme turbulence with enigmatic or unknowable circumstances. It requires [pattern based](#) leadership and the establishment of [cause and effect](#) relationships is often futile and wastes precious time. Multiple spontaneous decisions are required using an act, sense and respond approach under extreme pressure. It demands direct and explicit communication with prompt and decisive action to contain the situation and restore order. A significant challenge with this domain occurs when the context changes. The [command and control](#) structure dominates when normal operations resume and a [leadership hero myth](#) prevails. This can be resolved with the appointment of a parallel team to identify and address opportunities that inevitably arise during a crisis. [4546-4547](#)

Another context occasionally arises, which involves complete disorder. It can be quite difficult to identify during its emergence and anarchy prevails with multiple perspectives jostling for priority. This can be addressed by tackling the mayhem reductively and assigning individual components to a specific domain, which enables leaders to make effective decisions that reflect and align with the context. [4548-4549](#)

Many leaders are often required to act against their instincts and traditional attributes such as charisma, intuition or intellect often prove ineffective in the contemporary business environment. Prudent executives must embrace or acknowledge [complexity](#), [fallibility](#) and paradox via a flexible or adaptive approach to reflect and align with the prevailing conditions. In an era of increasing uncertainty, the [Cynefin](#) framework ([Figure 36](#)) enables leaders to tackle risk, respond to hazards or threats and enhance [decision making](#) accordingly. [4550-4551](#)

Figure 36: Decision making in multiple contexts

	THE CONTEXT'S CHARACTERISTICS	THE LEADER'S JOB	DANGER SIGNALS	RESPONSE TO DANGER SIGNALS
SIMPLE	<ul style="list-style-type: none"> Repeating patterns and consistent events Clear cause-and-effect relationships evident to everyone; right answer exists Known knowns Fact-based management 	<ul style="list-style-type: none"> Sense, categorize, respond Ensure that proper processes are in place Delegate Use best practices Communicate in clear, direct ways Understand that extensive interactive communication may not be necessary 	<ul style="list-style-type: none"> Complacency and comfort Desire to make complex problems simple Entrained thinking No challenge of received wisdom Overreliance on best practice if context shifts 	<ul style="list-style-type: none"> Create communication channels to challenge orthodoxy Stay connected without micromanaging Don't assume things are simple Recognize both the value and the limitations of best practice
COMPLICATED	<ul style="list-style-type: none"> Expert diagnosis required Cause-and-effect relationships discoverable but not immediately apparent to everyone; more than one right answer possible Known unknowns Fact-based management 	<ul style="list-style-type: none"> Sense, analyze, respond Create panels of experts Listen to conflicting advice 	<ul style="list-style-type: none"> Experts overconfident in their own solutions or in the efficacy of past solutions Analysis paralysis Expert panels Viewpoints of nonexperts excluded 	<ul style="list-style-type: none"> Encourage external and internal stakeholders to challenge expert opinions to combat entrained thinking Use experiments and games to force people to think outside the familiar
COMPLEX	<ul style="list-style-type: none"> Flux and unpredictability No right answers; emergent instructive patterns Unknown unknowns Many competing ideas A need for creative and innovative approaches Pattern-based leadership 	<ul style="list-style-type: none"> Probe, sense, respond Create environments and experiments that allow patterns to emerge Increase levels of interaction and communication Use methods that can help generate ideas: Open up discussion (as through large group methods); set barriers; stimulate attractors; encourage dissent and diversity; and manage starting conditions and monitor for emergence 	<ul style="list-style-type: none"> Temptation to fall back into habitual, command-and-control mode Temptation to look for facts rather than allowing patterns to emerge Desire for accelerated resolution of problems or exploitation of opportunities 	<ul style="list-style-type: none"> Be patient and allow time for reflection Use approaches that encourage interaction so patterns can emerge
CHAOTIC	<ul style="list-style-type: none"> High turbulence No clear cause-and-effect relationships, so no point in looking for right answers Unknowables Many decisions to make and no time to think High tension Pattern-based leadership 	<ul style="list-style-type: none"> Act, sense, respond Look for what works instead of seeking right answers Take immediate action to reestablish order (command and control) Provide clear, direct communication 	<ul style="list-style-type: none"> Applying a command-and-control approach longer than needed "Cult of the leader" Missed opportunity for innovation Chaos unabated 	<ul style="list-style-type: none"> Set up mechanisms (such as parallel teams) to take advantage of opportunities afforded by a chaotic environment Encourage advisers to challenge your point of view once the crisis has abated Work to shift the context from chaotic to complex

The Cynefin Framework – Decision making in multiple contexts

<https://hbr.org/2007/11/a-leaders-framework-for-decision-making>

Systemic control of risk

When we are not sure, we are alive

Graham Greene ⁴⁵⁵²

Societal concerns about exposure to risks from current activities, emerging technology or natural causes can be addressed and reduced systemically. It requires an intentional, rigorous and coordinated effort from everyone who influences or controls risk. This includes employers, employees, industry associations, insurers, suppliers, training and education establishments, the legal profession and regulatory authorities. It promotes a philosophy for controlling and minimising risks with a dominant emphasis on system design and operation. The entire system must include a legislative framework administered by the government to guarantee maximum safety. This must embrace [quality assurance](#) and contain [redundancy mechanisms](#) for critical systems. It should also specify training, licensing and registration requirements and certification or authorisation of personnel, plant, equipment and selected operational activities. Other criteria include inspection, enforcement and auditing regimes with a review process to ensure the system fulfils its objectives. In Germany, many of these attributes are detailed in the constitution of the [Berufsgenossenschaften](#) scheme, which determines and charges insurance premiums. Its registered businesses must belong to an industry association and the scheme operates as an industrial memory and quality improvement body. It also provides conventional knowledge and wisdom with purchasing power that is supported by a [continual improvement](#) process. ⁴⁵⁵³⁻⁴⁵⁵⁹

Society tends to accept risks from systems that provide an absolute, validated and vigilant attention to safety as opposed to situations where it is relatively uncontrolled. The controllability of risk is discussed extensively by [Rowe](#) using three principal classifications, which include positive, level and negative systemic control. This involves measuring system performance and degree of control over time, which generates learning curves to provide a trend analysis of system safety. Positive systemic control is commonly used throughout rail and aviation transport safety systems and also in the defence, aeronautical and nuclear energy sectors. Absolute control means the risk is decreasing on a total industry basis, irrespective of its growth and a specific example includes fatalities per year attributed to aviation transport. Relative control relates to an activity index such as fatalities per passenger miles flown. ⁴⁵⁶⁰⁻⁴⁵⁶³

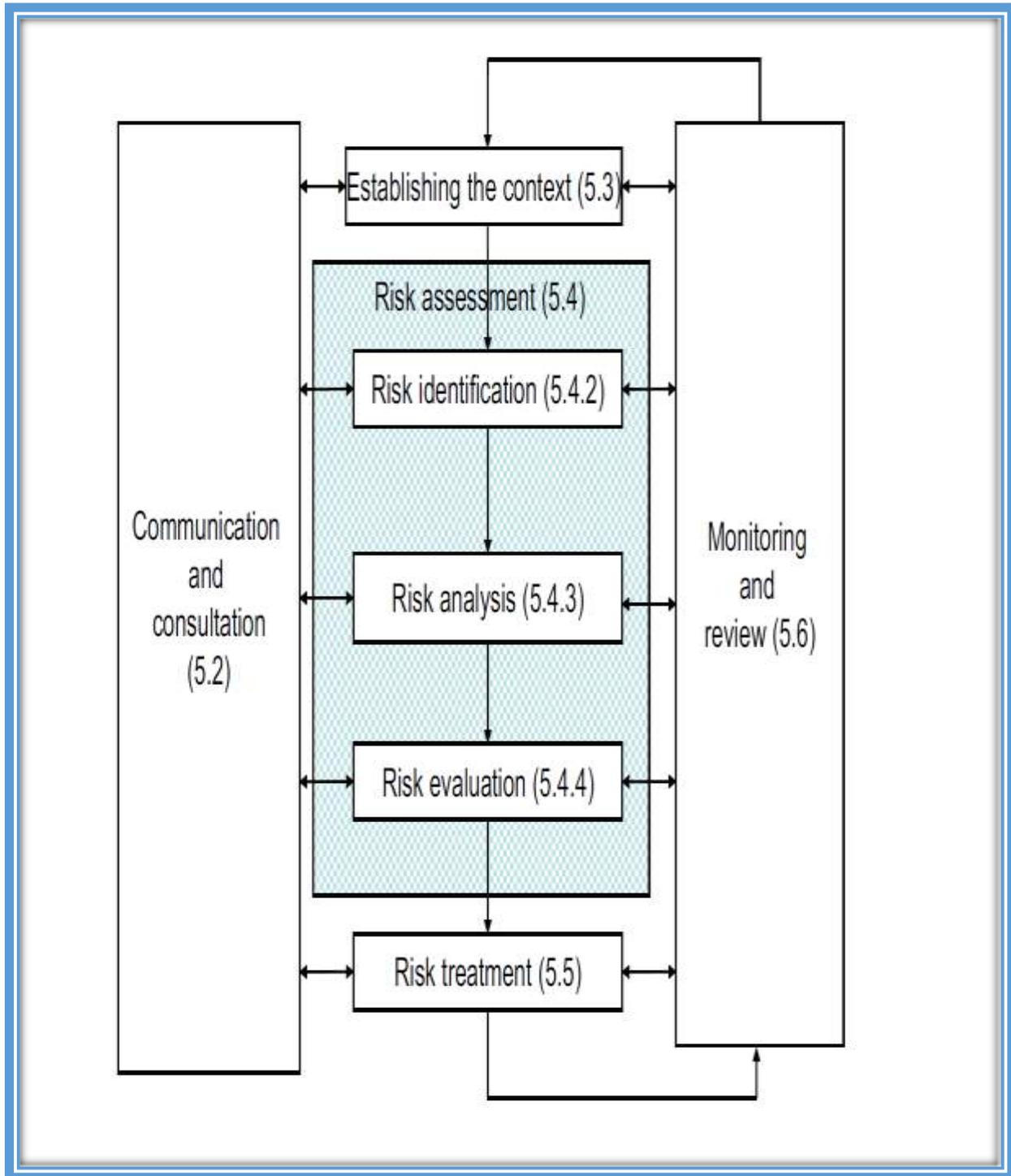
As a system matures positive systemic control verifies that its associated risks may be increasing albeit at a proportionally lower rate. Depending on the specific metrics this can validate absolute or relative control to confirm risk is decreasing chronologically. Level systemic control implies that the risk is increasing no faster than the system's rate of expansion and it is characterised by stability over time. Negative systemic control indicates escalating uncertainty and that the risk is uncontrolled and progressively increasing. The most desirable approach is a system that employs a positive degree of control, which is demonstrated using an absolute basis for control effectiveness. [4564-4565](#)

Other mechanisms are discussed by [Rowe](#) and involve techniques that are somewhat specific and not entirely systemic. These include control via explicit design features, inspection and regulation or a hybrid risk management system. Design features covering [fire protection](#) are common in [building codes](#). However, following occupancy, emergency escape routes are often blocked and equipment such as hose reels and extinguishers is vandalised, stolen or rarely maintained. [4566-4570](#)

In [heritage listed buildings](#), where design is impractical or even prohibited, the emphasis often transfers to active control measures, which are supplemented by a stringent inspection regime. Inspection and regulation provides positive control through operational systems, to eliminate or reduce risk. It is accomplished via feedback of information to determine the effectiveness of existing arrangements or whether additional controls are required. Other specific examples include [product safety recall protocols](#) and [mandatory vehicle inspections](#), which are linked to [government registration schemes](#) and compulsory third party insurance. [4571-4572](#)

A risk management system uses a combination of control through explicit design features supported by stringent inspection and regulation regimes. The scope and power is restricted to the organisation and it provides a formal structure via [systems engineering](#) principles to identify, assess and control risk. This is accomplished through a simple, practical and iterative process, which is summarised in [Figure 37](#). It can be used to achieve systemic control but is merely a component of an entire system with a limited span of control, which is generally site-specific. [Viner](#) provides extensive comments covering [strategic and tactical](#) management of risk, which consists of [six essential features](#) and reinforces that the standard of control must be proportional to the likely worst consequence. [4573-4579](#)

Figure 37: Risk management process



Standards Australia AS/NZS ISO 31000:2009

(Risk management – Principles and guidelines; p. 14)

Risk management systems

In Australia, the work health and safety legislative [framework](#) adopts a preventive, systematic and consultative [risk management](#) approach. Indeed, most corporations have integrated these requirements into an organisational [risk management system](#). It provides an opportunity to understand the process leading to injury, damage or loss with an emphasis on practical reality rather than abstract or clandestine complexity. [4580-4586](#)

A [risk management system](#) requires an overall [strategy](#), which establishes the context with an explicit intent to manage risk and ensure effective controls are continuously maintained. This must demonstrate commitment from incumbent executive managers and be inculcated to any successors. A formal risk management plan must detail arrangements and allocate specific responsibilities for managing organisational risks. It must be supplemented by a policy statement with objectives and targets. [4587-4588](#)

A site-specific [inventory](#) or [risk register](#) must complement the risk management plan. This requires a structured approach that distinguishes [energy](#) sources from other threats and general safety risks from operational risks. Controls must focus upstream at the source with an emphasis on design to reduce risk and complexity. Superior and reliable controls are required for [operational risks](#), which may need senior management approval and alternative or additional implementation tactics. There is no explicit legislative requirement to estimate the magnitude of the risk, which is often and unnecessarily accomplished using the putative and unreliable [risk matrix](#). Predicting likelihood or probability from its arbitrary ordinal and nominal scales is an aesthetic administrative convenience. It is merely another displacement activity which provides a false sense of security that risk is being effectively managed. The identification of the likely worst consequence will suffice as this establishes the standard of control and specific resources required to maintain [reliability](#) over time. [4589-4599](#)

The effectiveness of nominated control measures for identified risks in the [inventory](#) must be regularly reviewed at predetermined intervals. It is a critical activity because risks change over time along with legislation, standards, and codes of practice, technology and community expectations. The [inventory](#) should be designed to include and activate a review process, which may identify latent conditions or system pathogens, prevent ossification and provide substantial opportunities for improvement. [4600-4602](#)

The organisation, especially through its executive leaders and line managers, must inculcate a [collective intent](#) covering inspection, monitoring and maintenance of control measures identified within the [inventory](#). It requires integration with an audit plan and establishment of inspection intervals for specific control measures to ensure reliability is maintained or even improved. This demonstrates [purposeful control](#) and provides substantive evidence of meaningful supervisory activity. It also offers opportunities to discover active failures or noncompliance relating to existing controls with options to improve resilience. [4603-4604](#)

Following any occurrence or release of [energy](#) and transfer to a recipient, corrective action is required. This must include a documented response with an extensive review of the [inventory](#). Specific control measures must be implemented or improved and target the source to prevent recurrence of the event. Details of the occurrence and recommended corrective actions must be promulgated throughout the entire organisation and disseminated to relevant industry associations. The risk management plan must be incorporated into management practices and its iterative process ensures that continuity of effort and purpose is maintained as the organisation matures. It is especially critical following mergers and acquisitions, which often involve a changing of the guard with the loss of many experienced employees. If the intent of [risk management](#) is inadequately communicated to successive leaders, the process will ossify and be condemned to ineffective obsolescence. [4605-4606](#)

A recent high profile example of appalling [risk management](#) involves [British Petroleum](#) under the helm of its flamboyant chief executive, [Lord Browne](#) and immediate successor, [Tony Hayward](#). During the late 1990s the organisation embarked on an extensive mergers and acquisitions campaign, which was followed by savage budget cuts. A series of significant events with catastrophic consequences soon unfolded culminating with the Gulf of Mexico [Deepwater Horizon](#) disaster. [4607-4610](#)

The subsequent investigation into the [Macondo](#) well blow out depicted a saga of hubris, ambition and a safety philosophy with an excessive focus on spilled coffee rather than drilling disasters. A corporate culture venerated risk taking, even as years of merger driven growth and successive rounds of cost cutting consumed its leaders' focus. It was pronounced as an [accident](#) waiting to happen and de Tocqueville's words resonate.....*The surface of American society is covered with a layer of democratic paint, but from time to time one can see the old aristocratic colours breaking through.* [4611-4613](#)

Cultural determinants

The [Deepwater Horizon](#) incident generated intense debate about organisational culture and its specific impact on risk management and attainment of consistently reliable standards. [Viner](#) offers a critical evaluation of cultural determinants, which covers shared antagonistic beliefs, distortion of risk and ignorance about the significance of law and insurance. Accountability, conflict of interest, corruption and the detrimental influence of adversarial communication relationships are also examined. ⁴⁶¹⁴⁻⁴⁶¹⁵

[Accident theory](#) stimulates antagonistic beliefs, especially through its vague distinction between [cause and control](#) and the inordinate emphasis on [injury frequency rates](#) as a reliable indicator of operational safety performance. This is aggravated by [zero harm](#) ideology and its preoccupation with infallibility, which generates pettifogging and diverts attention from [operational or material risk](#). Risk is frequently unappreciated and distorted, mainly via the [qualitative risk matrix](#), which is often manipulated to suit hidden agendas. It is further impaired by an inability to recognise the components of risk and acknowledge the typical inverse logarithmic relationship between frequency and consequence value. This disguises the distinction between likely least and worst consequences, which ultimately determines the standard of control that is required. It also creates an aura of unnecessary complexity with a misconception that accidents are unpredictable. ⁴⁶¹⁶⁻⁴⁶²⁰

Ignorance surrounding the significance of law and insurance is another common feature throughout many organisations. This is particularly evident with statutory legislation and [common law duty of care](#). The polemic of prescriptive or performance based legislation often evokes intense discussion but evidence confirms both approaches are equally unsuccessful in stemming the tide of injury, damage or loss. [Common law](#) provides practical significance of moral obligations and offers managers an awareness of their responsibilities for a systematic organisational approach to [risk management](#). However, it too has been a somewhat ineffective preventive mechanism with its primary focus on [scapegoating](#) and compensation. Many managers and safety crusaders use the terms unsafe and negligent synonymously and are unaware of the fundamental and particularly onerous tests that are required to establish the [tort of negligence](#). This is often accompanied by extreme naivety regarding [due diligence](#) and inevitably cultivates [risk aversion](#), blame, fear and retribution. ⁴⁶²¹⁻⁴⁶²⁴

Indemnity policies can engender an atmosphere of careless protection. Many line managers are unaware of the [total cost of risk](#) and potential ruin is often insulated by distinct budgets for insurance and maintenance. Some even believe their organisation is insured against breaching statutory legislation and fail to understand that this would create a travesty of justice. Insurance also affords isolation from legal decisions because insurance brokers usually manage the claims and are generally reluctant to mount vigorous defences. ⁴⁶²⁵

An effective [risk management](#) system defines accountability and its structure must ensure people are held accountable for their actions rather than beliefs or commitment *You may never know what results from your action but if you do nothing there will be no result.* The executive leadership team must appoint a management representative with the authority to ensure a [risk management](#) system is established and maintained. Performance criteria can be developed to suit organisational requirements using international quality, environmental, safety or risk management standards. However, these guidelines fail to provide rigorous control standards that reflect the specific nature of risks incurred by the organisation. In any business a conflict of interest inevitably arises where pressure to reduce costs or achieve desirable goals usurps technical judgement. This political chicanery is termed the production versus protection dichotomy. It generated extensive and passionate debate during the recent Queensland parliamentary inquiry into [coal workers' pneumoconiosis](#). On many mine sites failing to maintain three points of contact on a stairwell attracts disciplinary action. However, excessive exposure to respirable coal dust was disregarded or summarily dismissed as whinging. Coalface employees were merely intimidated and told to harden up and put an extra spoonful of concrete in their morning cup of coffee. ⁴⁶²⁶⁻⁴⁶³⁰

Conflict of interest also occurs when power or greed overrides professional discretion and may include [regulatory capture](#). In perfidious societies power is abused to manipulate or frame legislation and affairs of lobbyists are advanced at the expense of public interest. It usually involves [political corruption](#) combined with subtle and penetrative capture to win hearts and minds. [Regulatory capture](#) is easy to identify but very difficult to prove and often accompanies several other socioeconomic conditions such as [rent seeking](#), a [race to the bottom](#) and [revolving doors](#). This has received intense media attention following approval of several [coal seam gas projects](#) and the [Adani Carmichael](#) coal mine in Queensland. ⁴⁶³¹⁻⁴⁶³⁹

Adversarial communication protocols, especially under authoritarian organisational structures hinder system performance. Autocratic and didactic behaviour will ensure management receives the information it wants rather than what it needs. This often generates fabricated or polarised reports, which disguise failure to protect reputations or reallocate blame onto subordinates. Lateral communication is also impeded via impenetrable organisational barriers that suppress interdepartmental consultation and prevents the achievement of common goals. This is aggravated by infallibility and an obsessive pursuit of perfection with ideologies such as [zero harm](#). ⁴⁶⁴⁰⁻⁴⁶⁴³

The [Shingo](#) model of operational excellence is underpinned by cultural enablers and include leading with [respect](#) and [humility](#). This establishes relationships which are the foundation of accomplishment and engenders trust to reflect and align with [principle based leadership](#). Social engineering techniques are commonly used in aviation and rail transport business management systems to ensure confidentiality, which encourages reporting of critical incidents to achieve successful outcomes. ⁴⁶⁴⁴⁻⁴⁶⁴⁷

Cultural traits

Cultural determinants can manifest in many ways throughout any organisation to influence its character or traits, which can be categorised as welcoming, resisting, passive, secretive or arrogant. A welcoming culture displays sincerity and creativity and recommendations or suggestions are treated with [respect](#), regardless of an individual's role, power or status. The organisation values constructive criticism, improvement or change using receptive lateral and vertical communication channels, which enhances [risk management](#). ⁴⁶⁴⁸⁻⁴⁶⁵⁰

[Authoritarian structures](#) will often create a hostile environment with a seditious and resistant organisational culture. Employees invariably feel insecure and believe the organisation is vulnerable, which suppresses communication and eschews accountability. Change is opposed, [messengers](#) are shot and [risk management](#) efforts are treated with disdain. Organisations can also exhibit passive traits with an ambivalence towards [risk management](#). Its employees believe the company can neither be threatened nor changed and any advice or suggestions are considered irrelevant. [Complexity](#) inhibits innovation and responsibility or accountability is diffused and defused using departmental barriers. It is redolent of many bureaucratic corporate behemoths and government organisations. ⁴⁶⁵¹⁻⁴⁶⁵³

In secretive organisational cultures conflict of interest with hidden agendas is often evident. A distinct stench of corruption is perceptible but hard to prove and information of any value is difficult to obtain. A miasma of clandestine power prevails and implementing change is practically impossible. [4654-4655](#)

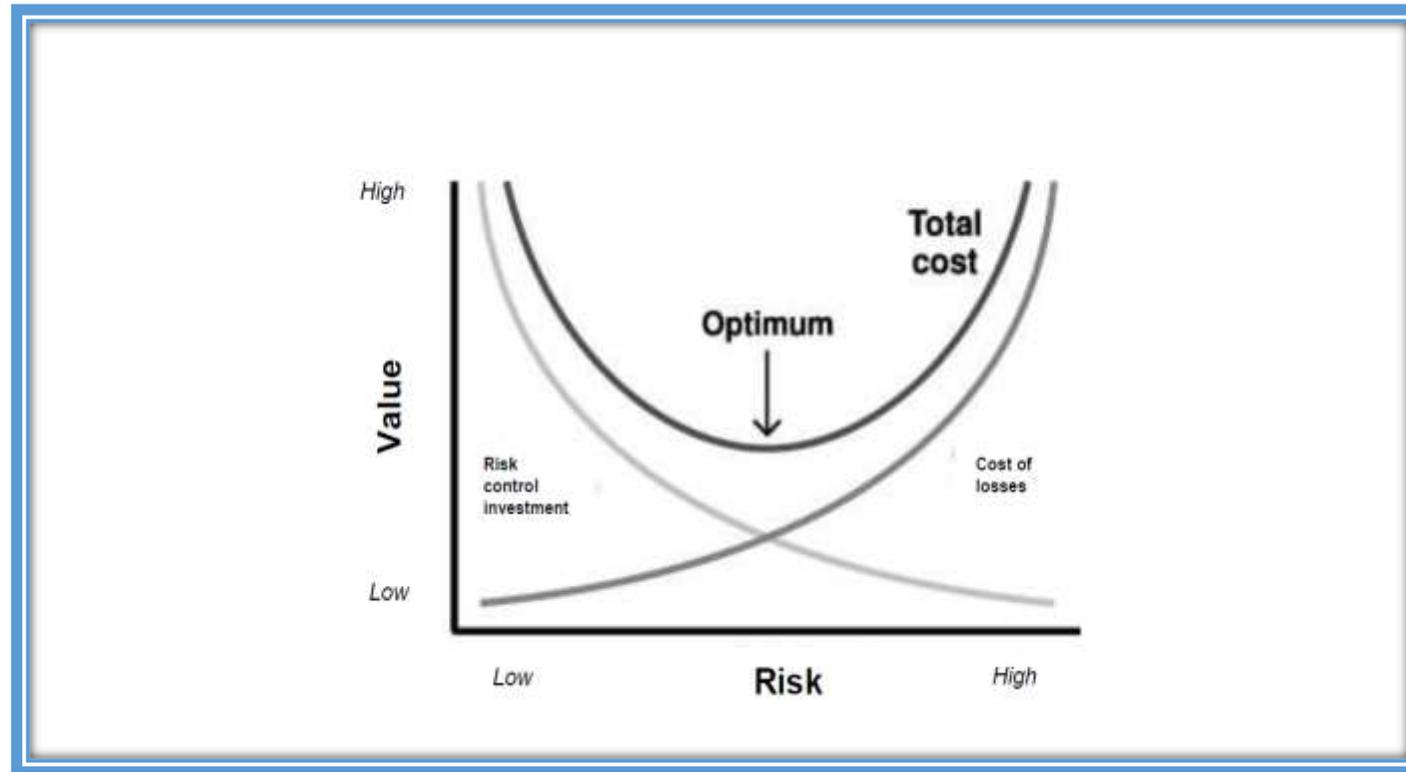
Arrogant corporations display obstinate convictions about their superior qualities, especially its organisational culture. Criticism is unwelcome and belittles its sacrosanct values, which are unconditionally endorsed by every employee. The culture can degenerate into a totalitarian regime with an infallible ideology and [too big to fail](#) philosophy. [4656-4658](#)

Safety culture, whether it is expressed at a national, industrial, organisational or site-specific level, is extremely variable and difficult to measure consistently. It is quite a complex and vague topic that generates intense discussion and disguises several other significantly important features. These include whether the particular organisation is supportive of a preventive [risk management](#) approach and can demonstrate the capability, preferably via an absolute, positive and validated degree of control. In any organisation statutory requirements and [common law](#), where it exists, are compelling reasons for implementing a [risk management](#) system. The interrelated financial aspects and [total cost of risk](#) also require significant consideration. [4659-4662](#)

Total cost of risk

The primary objective of any [risk management](#) system is to manage organisational risk, which ultimately leads to a reduction in the total associated costs. However as an organisation matures, the [law of diminishing marginal returns](#), which is closely related to [utility theory](#) and [Bernoulli's hypothesis](#), inevitably arises. The more an organisation attempts to reduce risk, its costs for smaller increments in reduction begin to increase. An alternative perspective is to evaluate the [total cost of risk](#), which is a quantifiable number that can be identified and reduced to fulfil the maxim... *What gets measured gets managed*. It is defined as the total cost of insurance premiums, retained losses and the cost of internal and external risk controls and is summarised in [Figure 38](#). Line managers often assume the [total cost of risk](#) is merely restricted to insurance premiums, which are its most visible component. However, many other indirect costs and hidden expenses are never tracked or summarily dismissed as fixed overheads and the cost of doing business ([Figure 39](#)). [4663-4668](#)

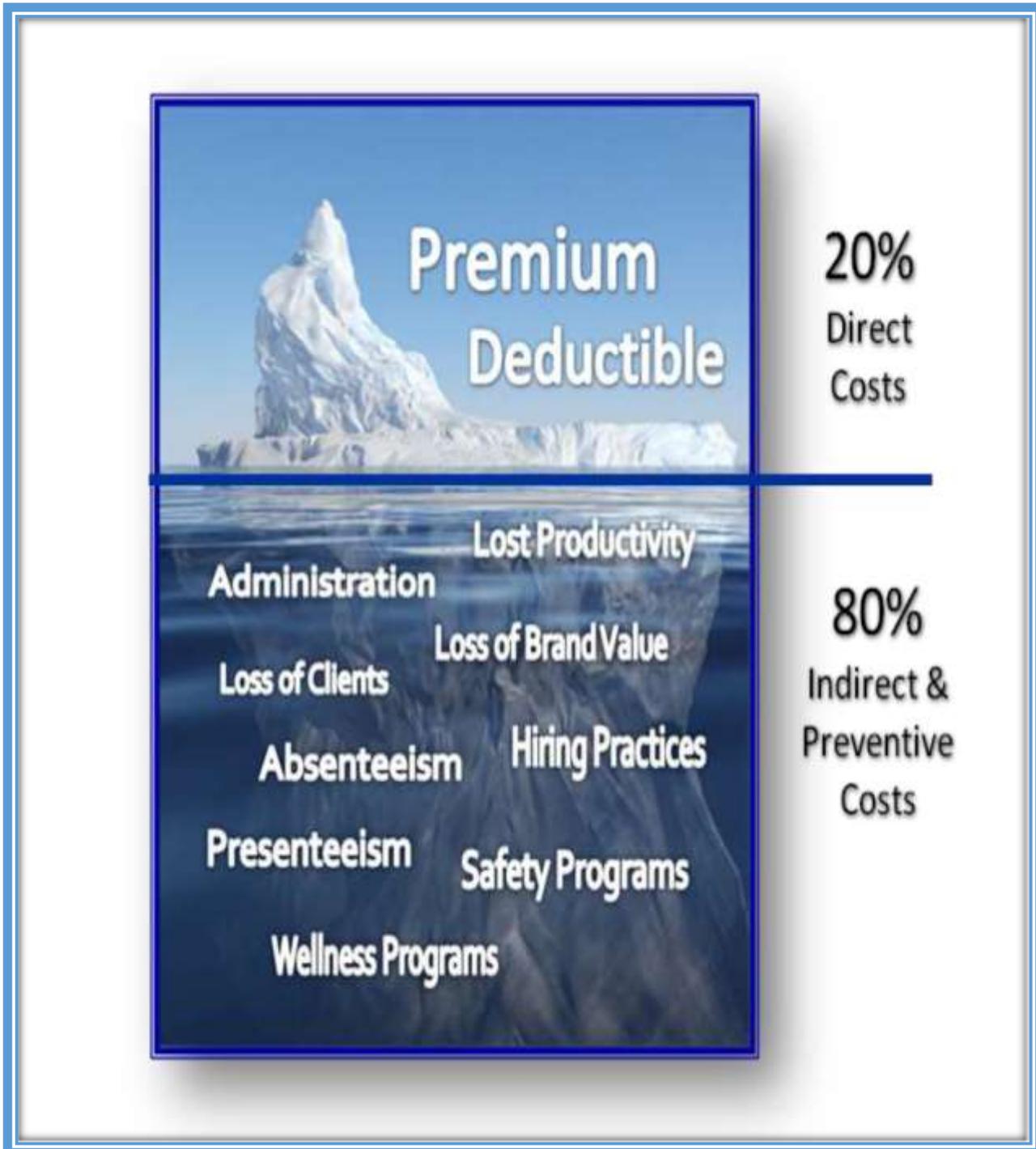
Figure 38: Total cost of risk



Occupational Risk Control: Predicting and Preventing the Unwanted – Derek Viner 2015

(After Figure 11.3 Representation of the total cost of risk. Kindle edition, Page 133)

Figure 39: Total cost of risk - Direct and indirect costs



The total cost of risk: Direct costs and indirect & preventive costs

Available from: http://www.winonaagency.com/content/total_cost_of_risk.aspx

Insurance premiums include the amount an organisation spends on indemnity. It is indeed the principal component of the [total cost of risk](#) and is easily tracked. Retained losses are best described as out of pocket expenses relating to incurred damages. Significant internal costs are sustained for the protection of people and assets from injury, damage or loss. These involve administrative controls such as training and supply of personal protective equipment. Substantial external costs may also accumulate through the provision of professional resources, which include legal representatives and specialist consultants. Many of these issues are interrelated and their recognition enables suitable operational strategies to be developed and implemented for managing and reducing the associated costs and improving [productivity](#). ⁴⁶⁶⁹

[Viner](#) provides further extensive discussion covering the total cost of risk and [strategic risk management](#). It is evident the same [total cost of risk](#) can be experienced through either small preventive cost with substantially reactive expenditure or via significant precautionary investment and minor spontaneous overheads. The latter approach truly reflects and aligns with [corporate social responsibility](#) and is summarised by the proverb.....*A stitch in time saves nine*. Statistics and discussions with colleagues over several decades confirm the [total cost of risk](#) is predominantly reactive expenditure and many organisations fly by the seat of their pants with a minimal investment in prevention. ⁴⁶⁷⁰⁻⁴⁶⁷¹

The [total cost of risk](#) provides organisations with a [strategic view](#) of its [risk management](#) efforts. It must be supplemented by a structured and effective [risk inventory](#) that details genuine and substantiated risks. This provides the organisation with a systematic and preventive approach to ensure the standard of control is proportional to the likely worst consequence. A three tier classification structure is proposed by [Viner](#), which addresses [must, should and could do](#) control applications. Must and should do items require an unconditional compliance with legislation, codes of practice, Australian Standards and other best practice guidance. Failing to implement these detailed requirements would result in an extremely tenuous defence against [due diligence](#) or [negligence](#). Any could do items are subject to [cost benefit analysis](#) for justification of expenditure. This structured technique enables organisations to make strategic decisions about where and when improvements are made and establish a safe working environment. ⁴⁶⁷²⁻⁴⁶⁷³

Lonely sinking feeling

In March 2001, an improbable but catastrophic chain of events aboard the [Petrobras P-36](#) floating offshore platform about 150 kilometres from the Brazil coastline, claimed the lives of 11 crew members. The explosions also damaged a support column containing emergency drainage tanks and approximately 1200 m³ of diesel and 300 m³ of oil spewed into the sea. Despite attempts to salvage the abandoned platform, the US\$ 500 million rig eventually sank to the bottom of the Atlantic Ocean and was declared a total loss. The rig was originally constructed as a drilling platform in 1994 and was subsequently converted into a deep water semi-submersible facility. In May 2004 it started operating at the [Roncador](#) oil field in the [Campos Basin](#), which was managed by the Brazilian state owned company [Petrobras](#). The extensive modifications included retrofitting of emergency drainage tanks into the platform's rear support columns to save space, reduce costs and capitalise on high oil prices and increasing demand. ⁴⁶⁷⁴⁻⁴⁶⁷⁷

Its [executive leaders](#) proudly proclaimed.....*Petrobras has established new global benchmarks for the generation of exceptional shareholder wealth through an aggressive and innovative program of cost cutting on its P-36 production facility. Conventional constraints have been successfully challenged and replaced with new paradigms appropriate to the globalised corporate marketplace. Through an integrated network of facilitated workshops the project successfully rejected the established constricting and negative influences of prescriptive engineering, onerous quality requirements and outdated concepts of inspection and client control. Elimination of these unnecessary straitjackets has empowered the project's suppliers and contractors to propose highly economical solutions with the win-win bonus of enhanced profitability margins for themselves. The P-36 platform shows the shape of things to come in [unregulated global market economy](#) of the 21st century.* ⁴⁶⁷⁸⁻⁴⁶⁷⁹

The investigation findings detailing proximate causes and contributory factors were eerily familiar and comments from the late [Trevor Kletz](#) regarding many industrial disasters resonate.....*Don't bother writing the accident report, I will send you a copy from my files.* There was no evidence covering [hazard operability studies](#) on retrofitting the rig drainage tanks and Petrobras senior executives disregarded the [total cost of risk](#) and favoured production over protection. ⁴⁶⁸⁰⁻⁴⁶⁸¹

Safety and productivity

Another objective of [risk management](#) is to reduce the number and consequence value of occurrences. This reduces associated costs with potential improvements in [profitability](#) (production per unit of cost) and [productivity](#) (production per unit of time). However, if the efforts are merely inefficient displacement activities it can diminish gross profitability and productivity. In extreme situations the cost of risk management efforts may significantly offset benefits and even create a deficit. The benefits of [risk management](#) may well be [probabilistic](#) but its associated costs are immediate and tangible, which have a decidedly greater influence on people than potential benefits. Indeed, in the current [Safe Work Australia strategy](#) its vision advocates healthy, safe and productive working lives and states.....*It has been shown that good work health and safety improves long term business productivity.* This is reinforced by the [Safety Institute of Australia](#) in its recent [policy agenda](#) but furtively supports a policy of [self-regulation](#), which culminates in [laissez faire](#) safety and [deregulation](#). The relationship between safety and productivity is diffuse, [probabilistic](#) and certainly not deterministic. Extreme caution is required with such definitive statements because correlation does not imply causation. Labour, which encompasses workplace health and safety is independent of and far [superior](#) to capital, productivity or production and merits greater significance. [Viner](#), [Hopkins](#) and [Sider](#) provide extensive analysis of this tenuous [chicken and egg](#) relationship. ⁴⁶⁸²⁻⁴⁶⁸⁹

Contingency planning and crisis management

Reactive expenditure in the [total cost of risk](#) includes contingency planning and [crisis management](#) and involves emergency preparedness and [business continuity plans](#). Any organisation is sensitive to the risk of fire, bomb threats, natural disasters, terrorism, extortion or civil disorder and requires a [crisis management plan](#). Its objective is to manage unfolding events efficiently, minimise damage and ensure a prompt recovery and return to normal operations. It must be regularly rehearsed and the degree to which it exists and successfully operates affects the manner in which people value its consequences. This enhances community resilience and potential consequences are made much more palatable by relaying the risk across a broader and reliable foundation. Several disasters in the United Kingdom including [Hillsborough](#) and [Grenfell Tower](#) and the recent collapse of the [Mariana](#) and [Brumadinho](#) tailings dams in the Brazilian state of [Minas Gerais](#) provide unpleasant examples of ineffective [crisis management](#). ⁴⁶⁹⁰⁻⁴⁶⁹⁵

Operational excellence

There can be no real freedom without the freedom to fail

Erich Fromm ⁴⁶⁹⁶

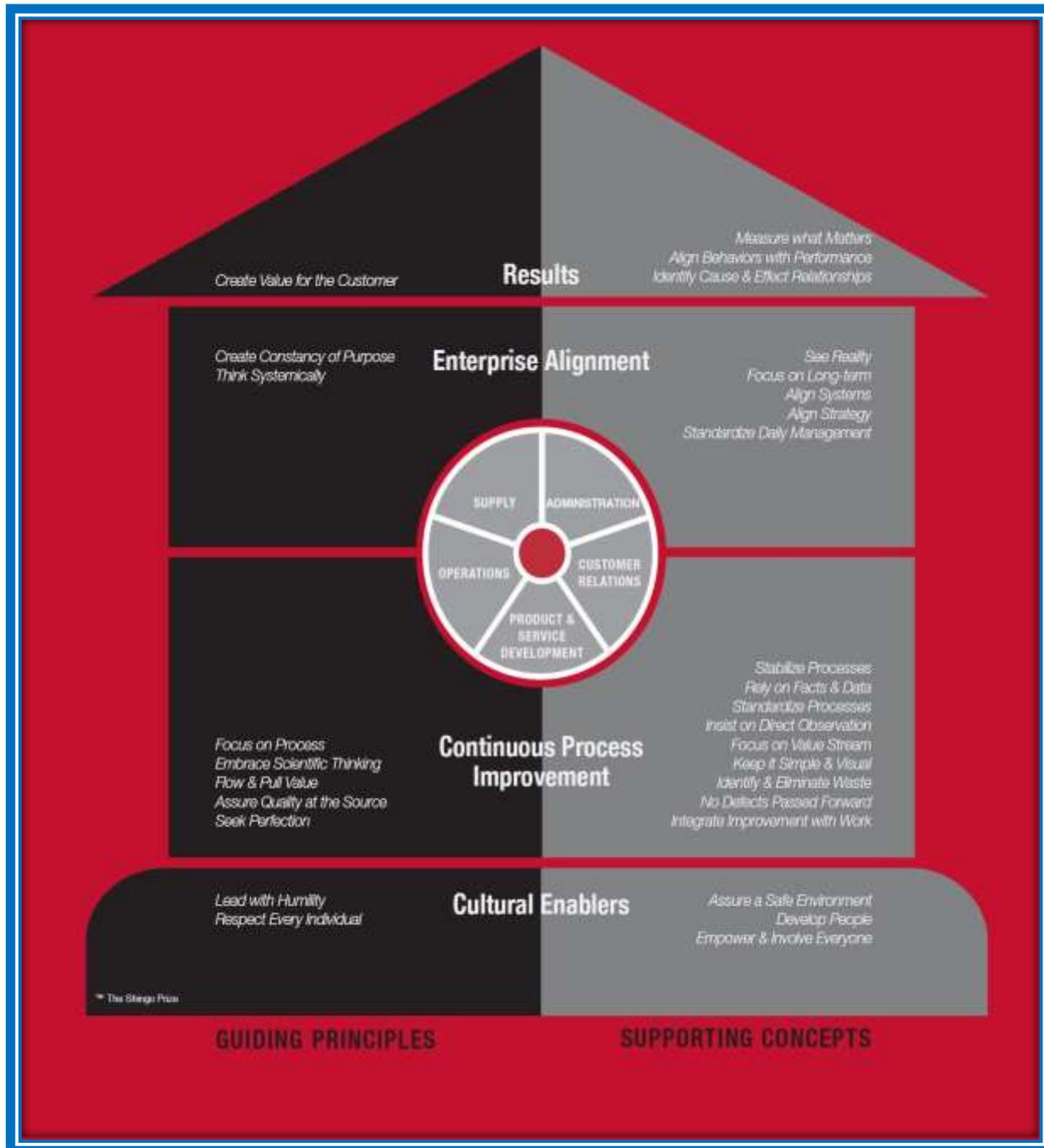
Despite its persistent popularity, **accident theory** sits incongruously with the principles of **operational excellence**, **total quality management** and **risk management**. Operational excellence is essentially a relationship between business results and **principle based leadership**. Principles govern the laws of science and determine the consequence of human relationships, which are the foundation of accomplishment. Learning occurs when people acquire meaning behind methodology. Improvements are achieved via a comprehensive knowledge of the interdependency of **business principles, systems and processes**. This influences and drives behaviour and alignment with operational excellence and risk management principles is critical. The **Shingo** model is detailed in **Figure 40** and consists of ten guiding principles, which are categorised into four interdependent dimensions with supporting concepts. The dimensions include cultural enablers, continuous process improvement, enterprise alignment and results. ⁴⁶⁹⁷⁻⁴⁷⁰⁴

Cultural enablers

These are the foundational elements of the **Shingo** model and its transformational process involves leading with **humility** and **respect** for every individual. **Humility** precedes learning and improvement. It encompasses **active listening**, accepting vulnerability or **fallibility** and rejecting bias or prejudice. This inspires employee contribution from every level within the organisational structure to develop better systems and processes. Moreover, it establishes personal responsibility to ensure directions from corporate business leaders are followed. ⁴⁷⁰⁵⁻⁴⁷⁰⁸

In any organisation, employees often identify **respect** as one of the most important features in the employment relationship. It empowers people to act independently and stimulates learning and continuing professional development. This creates open and trustworthy communication channels and allows individuals to understand the significance of business systems and processes and provides meaning to company values. An environment evolves where colleagues feel appreciated and motivated, which enhances creativity and wins hearts and minds. ⁴⁷⁰⁹⁻⁴⁷¹²

Figure 40: Shingo model of operational excellence



Jon M Huntsman School of Business Utah State University

<http://lean.nh.gov/documents/Shingo%20Model%20Handbook.pdf>

(The Shingo Model of Operational Excellence; p. 12)

Continuous process improvement

Improvements must reduce [complexity](#) to manufacture products better, faster and cheaper. It is achievable via an iterative process that defines value from a customer perspective and uses a transdisciplinary and evidence based approach, which addresses problems at the source. This is supported by a symbolic aspirational goal that establishes a collective intent to create a simple and uninterrupted process flow, which achieves maximum value with minimal waste or zero defects. Focussing on the process eliminates blame and a robust discipline evolves, which targets upstream to improve design and remove impediments with a pursuit for perfection and superior results. This obsessive quest for excellence requires some caution because it can generate unintended consequences such as [anomie](#), [anxiety](#) and other [psychosocial risks](#). ⁴⁷¹³⁻⁴⁷¹⁹

Enterprise alignment

The cultural enablers and [continuous improvement](#) dimensions align with the corporate vision and values to establish a constancy of purpose, which articulates the intent and direction of the organisation. This involves analysis and synthesis using [critical thinking](#) and allows employees to understand how and why business systems, processes and tools function and recognises their intricate interdependencies. It delivers rational and reliable [decision making](#) to guarantee improvements are justified and produces exceptional and consistent results. ⁴⁷²⁰⁻⁴⁷²⁴

Results

Organisational leaders share the common responsibility of producing superior and sustainable results. This stems from [principle based leadership](#) and is the essence and spirit of [operational excellence](#). [Accident theory](#) with its inordinate downstream focus on unsafe acts and [human error](#) generates blame and fear, which creates disdain, erodes [respect](#) and produces a mediocre safety performance. The attributes of [accident theory](#) are summarised in [Figure 43](#). It is quite evident they impede [organisational development](#) and are inconsistent with the fundamental principles and guiding concepts of [operational excellence](#) and [risk management](#). However, despite its many encumbrances, [accident theory](#) remains persistently popular and is entrenched throughout the energy and resources sector. ⁴⁷²⁵⁻⁴⁷²⁷

High reliability organisations

There is no such thing as an accident; it is fate misnamed

Napoleon Bonaparte ⁴⁷²⁸

A significant challenge for any business or organisation is **managing the unexpected** and assuring high performance in an era of increasing complexity with many **wicked problems**. Traditional inflexible managerial practices using rigid systems in stochastic environments often prove ineffective and frequently exacerbate the situation. ⁴⁷²⁹⁻⁴⁷³¹

Systems are designed by humans and every methodology has its own anthropology with unique characteristics. In many bureaucratic organisations employees **serve the system**, which dehumanises people and creates **anomie**, despair and anxiety. Indeed, the United States Navy was once described by **Herman Wouk** in the **Caine Mutiny** as a system designed by a genius to be operated by idiots.....*If you are not an idiot but find yourself in the Navy, you can only operate well by pretending to be one.* ⁴⁷³²⁻⁴⁷³³

The concept of **high reliability organisations** evolved following extensive research at the University of California **Berkeley** campus in the United States. This entailed meticulous evaluation of systems and processes across several complex operations. It included aircraft carriers, air traffic control, nuclear power generation and hospital **intensive care units**. Although the study occurred across a diverse range of organisations similar **key attributes** were identified (**Figure 41**). A shared perception of vulnerability was supplemented with a widespread sense of responsibility and accountability for seeking reliability. ⁴⁷³⁴⁻⁴⁷³⁷

Employees throughout each organisation displayed a distinctive and collective concern about misperceptions, ambiguity and uncertainty, which was evident throughout a wide variety of operational activities. Performance is distinguished by a relentless pursuit for **reliability** and underpinned via **positive systemic control** of risk. The consistency is achieved by effective management of exogenous and endogenous risks without an inordinate reliance on compliance and enforcement or reactive monitoring of absolute errors and incident frequency rates. This requires undivided attention from each employee to influence the social and relational infrastructure of the organisation. It ensures high risk activities can function effectively under extremely challenging conditions, which provides reassurance to the local community and regulatory authorities. ⁴⁷³⁸⁻⁴⁷³⁹

Figure 41: High reliability organisations



Health and Safety Executive United Kingdom

Dr. Chrystanthi Lekka – High reliability organisations – A review of the literature (Page v)

Available from: <http://www.hse.gov.uk/research/rrpdf/rr899.pdf>

This optimistic philosophy is rather inconsistent with Perrow's fatalism and technologically deterministic attributes of [normal accident theory](#). This emerged following the [Three Mile Island](#) disaster. It alleges the technology was so tightly coupled with limited variance that the events were practically impossible to anticipate. Despite the incongruity, there are some common features as both theories focus on the socially constructed aspects of risk. [4740-4742](#)

[High reliability organisations](#) display unique characteristics of anticipation and containment for managing unexpected threats or uncertainty. They can sustain exceptional levels of safety performance over prolonged periods, especially under extremely challenging conditions. This is accomplished using the concept of [collective mindfulness](#) and attributes such as vigilance and attention to detail are considered sacrosanct. Distractions are relinquished and any basic or ambiguous assumptions are fervently challenged, without fear of retribution. It nurtures trust, [respect](#) and inspires professional development to establish [resilience](#), which expedites recovery following unforeseen events. [4743-4750](#)

Anticipation directs activities upstream before adverse consequences emerge and includes a preoccupation with failure, a reluctance to simplify interpretations and a sensitivity to operations. Containment targets downstream following unexpected incidents with a focus on resilience and a deference to expertise. [4751-4752](#)

The five fundamental processes are tenets for improvement in [quality](#), [reliability](#) and [productivity](#) and synchronise with [risk and energy damage theory](#). However, traditional [accident theory](#), with its inordinate downstream reactive focus on unsafe acts and [human error](#), is incompatible with these principles. [4753-4754](#)

Preoccupation with failure

Safety or [reliability](#) has been defined as a dynamic non-event, which is consistent with [risk and energy damage theory](#) and the concept of uncertainty. If something is possible it is only a matter of time before it happens. This aphorism, colloquially ascribed to Murphy, implies a preoccupation with failure and involves maintaining a healthy scepticism about operational activities and performance at the coalface. It is supplemented by constant surveillance for exogenous and endogenous threats and managing the unexpected or uncertainty to ensure exemplary performance in complex stochastic environments. If eternal vigilance is the price of liberty, chronic unease is the price of safety. [4755-4759](#)

Reluctance to simplify

Risk and energy damage theory adopts a systemic approach and embraces practical systems thinking. It employs scientific logic and measures risk quantitatively using real numbers via its inverse logarithmic relationship between frequency and consequence value. Its organic configuration and collaborative process encourages critical thinking and discernment with diverse and challenging opinions. This inspires employees to dispute basic assumptions with a reluctance to oversimplify or disguise complexity. ⁴⁷⁶⁰⁻⁴⁷⁶⁴

Sensitivity to operations

Risk and energy damage theory is suitable for managing operational and general safety risks. It provides a systemic process based approach, which is suitable for addressing latent conditions and active failures via objective evaluation. It employs quantitative risk analysis and estimation techniques. This synchronizes with process safety architecture and several of its diagnostic tools such as layers of protection and passive and active barriers, which affords a sensitivity to operations. ⁴⁷⁶⁵⁻⁴⁷⁷³

Resilience

Key attributes of risk and energy damage theory are its upstream focus and predictive and preventive foresight via resilience engineering. It explores opportunities to create robust and flexible processes using adaptive risk management techniques. This provides for attention to design and use of technological controls in response to functional failures, which ensures processes default into safe mode or soft landing during unforeseen events. This is referred to as resilience engineering. ⁴⁷⁷⁴⁻⁴⁷⁷⁸

Deference to expertise

Additional key attributes of risk and energy damage theory are its focus on reliability with an organic organisational structure supplemented by collective coherence. It eases hierarchical constraints and encourages fluid decision making with a deference to expertise at operational or tactical levels. This hybrid and process based framework enables experience and expertise to take priority via an adaptive, flexible and coordinated leadership approach as the events emerge or unfold. It also transforms organisations into information and knowledge based legitimate structures. ⁴⁷⁷⁹⁻⁴⁷⁸⁰

Transdisciplinary approach

And the time will come when you see we're all one and life flows on within you and without you

George Harrison ⁴⁷⁸¹

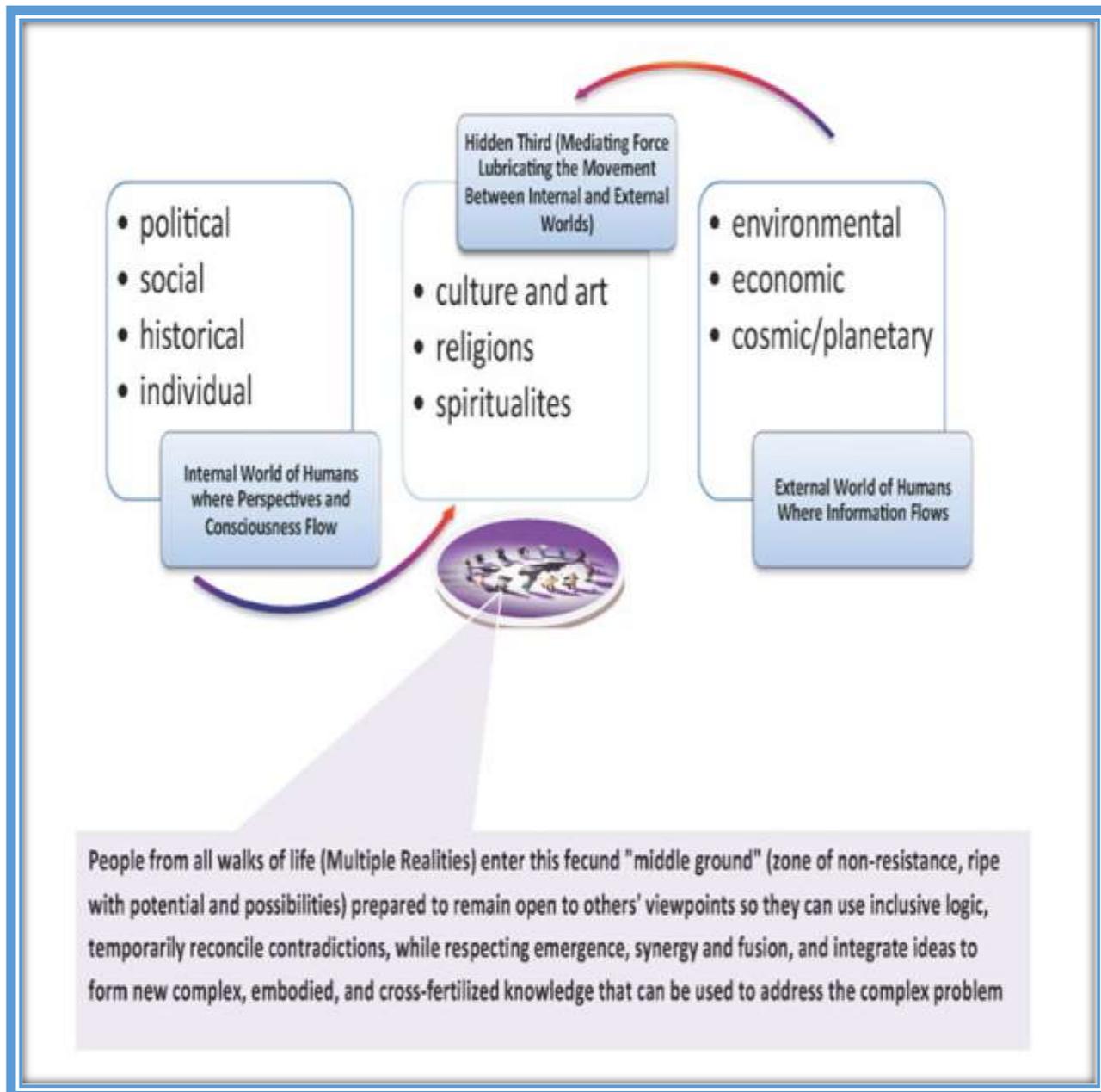
Humans enact legislation and use techniques and controls to tackle many of life's trials and tribulations. However, risk is essential for our existence and is the foundation of [fallibility](#). It is a [wicked problem](#) and somewhat paradoxically, the elimination of risk restricts our survival. [Wicked problems](#) are extremely complex with many layers of behavioural complexity and every overt action generates a covert and opposite reaction. ⁴⁷⁸²⁻⁴⁷⁸³

There is no definitive solution and many undesirable derivatives emerge including the curtailment of liberty and extirpation of imagination, creativity, discovery and learning. It presents many challenges, which require a collaboration of science, culture, religion, spirituality and society. The conundrum is best summarised by [Albert Einstein](#).....*Objective knowledge provides us with powerful instruments for the achievements of certain ends but the ultimate goal itself and the longing to reach it must come from another source.* ⁴⁷⁸⁴⁻⁴⁷⁸⁷

This [transdisciplinary](#) approach accepts the coexistence of multiple contradictions and realities, some of which are unfamiliar to the physical sciences. It seeks to liberate reason from a [positivist](#) domain and explores the unfathomable realities of complex [wicked problems](#), which are beleaguered with paradox and ambiguity. Industrial safety with its myopic emphasis on [accident theory](#) excludes many other disciplines from its fraternity. These professions cover an extensive range of subjects such as [social psychology](#), [culture](#), [poetics](#), [teaching](#), [spirituality](#), [metaphysics](#) and [theology](#). Many have an established [code of ethics](#) which most safety crusaders are unable to recognise or unwilling to appreciate. ⁴⁷⁸⁸⁻⁴⁷⁹⁰

[Nicolescu](#) recognises the middle ground between the subject and object and advocates an alternative concept ([Figure 42](#)). This fecund zone or [hidden third](#), is conducive to bohemian disciplines and does not merely accommodate the validity of another profession for the sake of appeasement. People from every walk of life or multiple realities can enter this milieu and their perspectives are encouraged. It welcomes [discernment](#), which can temporarily reconcile contradictions and respect [emergence](#), synergy and fusion. This enables integrated ideas to generate innovative, signified and intricate knowledge that can be used to develop strategies for tackling [wicked problems](#). ⁴⁷⁹¹⁻⁴⁷⁹⁴

Figure 42: The hidden third



Basarab Nicolescu – Transdisciplinarity: The hidden third between the subject and the object

Available from: Fallibility and Risk – Living with Uncertainty; p. 102. Dr. Robert Long:

<https://safetyrisk.net/free-safety-ebooks/>

Industrial safety struggles with [soteriology](#), suffering, harm and [human error](#) because of its fundamentalist [binary oppositional logic](#). The [transdisciplinary](#) approach to [wicked problems](#) respects [chaos](#), disorder, uncertainty, paradox and [emergence](#). A construction of order merely provides psychological comfort rather than a testimony of reality. Excessive control extinguishes movement in life and it becomes static and a dystopian regime evolves. This curtailment of liberty destroys imagination, learning and maturity and existence becomes meaningless. Definitions and certainty often provide emotional reassurance although realism must usurp fatalism. Endorsing integrity and accepting [fallibility](#) with risk is critical.....*No legacy is so rich as honesty*. Moreover, many professional disciplines are sequestered or insulated from each other by their lexicon, discourse and symbols. Indeed, as [George Bernard Shaw](#) once remarked.....*All professions are conspiracies against the laity*. [4795-4797](#)

Traditional distinct bodies of knowledge may have served us well in the past but in the current environment of emergent [complexity](#) and [wicked problems](#) they often prove ineffective. Indeed, the rapid advances in communications technology has made our aptitude for connecting immature and significantly increased social segregation and alienation. Social media platforms such as Twitter or Facebook, with its shallow promise to build a community, are more antisocial and incalculably [narcissistic](#). It is pure [individualism](#) and creates conflict that breeds contempt. This destroys relationships although much like the [gig economy](#) and [franchising](#) it generates millions of dollars trading in misery and misfortune. [4798-4801](#)

Nonetheless, it is futile to view the world through the confines of a particular nation, industry, discipline or process. In the current stochastic environment organisations and its leaders require agility, comfort with obscurity and a tolerance of paradox. It must be supplemented with [meta-learning](#) and [critical thinking](#) or [discernment](#). The [transdisciplinary](#) approach offers beneficial balance between the objective and inherently subjective nature of risk and when [power corrupts, poetry cleanses](#). The intent is not unity but a [collective coherence](#) that confronts the many formidable challenges, which include volatility, uncertainty, complexity and ambiguity. The [transdisciplinary](#) process regurgitates many traditional polemics such as [science versus religion](#) and the [arts or humanities](#). Science is unable to explain everything but this does not mean it knows nothing. It recognises enough to describe Newtonian and nuclear physics although.....*When we understand every single secret of the universe, the eternal enigma of the human heart will remain*. [4802-4809](#)

The science over religion dichotomy has raged for many centuries. It has attracted diverse comments from an eclectic range of disciplines and eminent professionals. [Albert Einstein](#) advocated an essential role for religion. However, the late [Christopher Hitchens](#) was deeply skeptical and his views are reflected by English ethologist, [Richard Dawkins](#). The deceased spiritual leader, [Swami Vivekananda](#) offered an alternative opinion that explains where, why and how science and religion can honourably agree to disagree. ⁴⁸¹⁰⁻⁴⁸¹²

Science is a traditional endeavour that systematically attempts to integrate universally perceptible phenomena into an entirely rational relationship. [The scientific method](#) teaches us nothing else beyond how facts are related to and conditioned by each other. However, one can attain the purest and most complete knowledge yet remain unable to reconcile this wisdom with the goal of human aspirations.....*Science without religion is lame, religion without science is blind.* ⁴⁸¹³

[Richard Dawkins](#) maintains that not only is science corrosive to religion but religion is corrosive to science. It satisfies people via trivial supernatural excuses and blinds them to the discovery of imminent and innovative explanations of reality. This teaches them to accept authority, revelation and faith instead of demanding and relying on substantive evidence. Religion in science is not just redundant and irrelevant, it is an active and pernicious charlatan. ⁴⁸¹⁴

[Mystics](#) teach religion from experience and speak the same tongue and share consistent truth. It is the only science where there is no surety because it is not usually taught as a science of experience. Experience is its solitary source of knowledge and is the real science of religion. Much like mathematics it is universal, similarly constituted and situated and eventually becomes law. In the church, acolytes learn religion and start to practise but do not take experience as their basis of belief. The mystic however, embarks on a quest for truth through experience and articulates his creed. ⁴⁸¹⁵

Religion deals with the truths of the [metaphysical](#) domain whereas chemistry and other natural sciences deals with the facts from the physical world. The book one must read to learn chemistry is the book of nature but acquiring religion comes from your own heart and mind. The sage is often ignorant of physical science because he reads the wrong book - the book within. A scientist remains oblivious to religion because he also reads the wrong book - the book without. ⁴⁸¹⁶

Transdisciplinarity seeks an alternative way of knowing, which has been termed **metanoia** or a knowing beyond. It faces many extraordinary challenges, especially from the academic tradition of establishing and sustaining disciplines, which constrains synergy and retards growth and enrichment. Integration of scientific disciplines with subjects such as **poetics** or **religion** will undoubtedly continue to encounter resistance.....*And the time will come when you see we're all one and life flows on within you and without you.* ⁴⁸¹⁷⁻⁴⁸¹⁹

It is traditional to look upon **science and religion** as irreconcilable adversaries. Indeed, science has been charged, somewhat irrationally with undermining morality. Ethical behaviour should be based on the social context, sympathy and education and any religious basis is unnecessary. It would be an impoverished and interminable state of affairs if humans were restrained by fear of punishment and hopes of reward after death.....*An intellectual, heartless man can never become inspired.* ⁴⁸²⁰⁻⁴⁸²¹

Ethic of risk

An **ethic** is essentially a moral system, which describes how to live respectably for the good of others and society. It underpins **utilitarianism** and denotes a foundational philosophy of being or **ontology**. Its meaning must encompass the entire industrial safety sector and become instinctive. However, the current incongruent archetype consisting of compliance and enforcement with a brutal gotcha culture generates relentless and excessive conflict. It is exacerbated by an otiose attempt to disregard human **fallibility** using the fundamentalist ideology of **zero harm**, which destroys any **ethic of risk**. ⁴⁸²²⁻⁴⁸²³

An **ethic of risk** must denote core values, beliefs and moral imperatives that determine how risk is tackled and understood in relation to people. This must recognise the dialectic or tension between tackling risk and the safety archetype underpinned by **accident theory**. It involves challenges presented by a language of absolutes and a futile obsession with counting how many sheep we have left and an iniquitous link to performance bonuses. Other impediments in this intense relationship include its cantankerous unscientific logic with a fascination of objects over subjects. It is compounded by the blind acceptance of authority, **Kafkaesque** bureaucracy and a brutal intolerance of **fallibility**. Any discussion on safety as a profession is shallow and rather meaningless without establishing an **ethic of risk**, which must focus on the nature and amelioration of people. ⁴⁸²⁴⁻⁴⁸²⁵

A framework of moral values is required, which include [respect](#), [humility](#), intelligence, honesty, trust, wisdom, confidence and [discernment](#). These are quite distinct from the laity's perspective and establish professional coherence, which encompasses the many values and concerns involved to provide consistent judgement. Indeed, professional responsibility is an ethical aptitude. [4826-4827](#)

Industrial safety with its unconscionable emphasis on legislation, systems and rigorous compliance tolerates the risk of severing professional judgement from its moral and psychological sources. This is particularly significant in any vocation that serves a system of institutionalised justice. Moreover, the absence of any [study of ethics](#) in the safety curricula or its [OHS body of knowledge](#) indicates disingenuousness and hypocrisy.....*A man without ethics is a wild beast loosed upon this world.* [4828-4829](#)

Professions and professionalism

Over many years attempts have been made to clarify the term [professional](#) and define the function of [professions](#). The laity perspective is often restricted to the sporting arena and usually reserved for any individual who is distinguished or exceptionally skilled in a particular discipline. However, in many vocations such as [law](#), [medicine](#), [teaching](#), [ministry](#) and [engineering](#), it carries much greater significance and assurance. [4830-4831](#)

A [profession](#) is a distinguished and disciplined group of people with specialist knowledge and skills. Its members must adhere to rigorous ethical standards, which are unanimously applied in the interests of others. These talented attributes are generally acquired via research, education, experience and training from a renowned institution or establishment, which is universally recognised and often acclaimed by the laity. [4832-4833](#)

A [professional](#) is governed by a [code of ethics](#) and is accountable to those served and to the community. This requires a commitment to integrity, morality and altruism. It demands personal reflection about their individual professional performance and utmost concern about public wellbeing. This requires the preservation of principles, laws, conventions and [ethics](#) of a profession as a way of practice. Before embarking on its [professionalization](#) voyage industrial safety must abandon antediluvian accident theory and adopt a [transdisciplinary](#) approach, which encourages [discernment](#). This requires rejection of the many trivial and mechanical assumptions that often exclude existential questions. [4834-4838](#)

It's alright ma I'm only bleeding

A healthy loyalty is not passive and complacent but active and critical

Harold Laski ⁴⁸³⁹

The 21st October 2016 commemorated half a century since the [Aberfan](#) disaster in South Wales, United Kingdom which resulted in the deaths of 116 school children and 28 adults and wiped out a generation. Over the past 50 years, legislation has been implemented and supplemented by the introduction of many fashionable psychological approaches, which have been offered as silver bullets. However, traditional egocentric [accident theory](#) and its many accoutrements remains enduringly popular despite its ostentatiously vague sentiments and social encumbrances. Meanwhile, the carnage continues unabated and in Australia, the annual direct costs are almost \$80 billion or 8% of gross domestic product. Since 1970, black lung compensation [claims](#) in the US have exceeded \$45 billion. It amounts to many hospitals and other public health infrastructure and our performance can only be described as mediocre. The comments from [Haddon](#) et al remain as pertinent today and resonate with most safety professionals. Antediluvian [accident theory](#) does not manage risk or measure performance, we are merely keeping our fingers and toes crossed and counting how many sheep we have left until the next WTFWT [black swan](#) or [wild card event](#): ⁴⁸⁴⁰⁻⁴⁸⁵⁶

[Farmington](#) (1968), [West Gate Bridge](#) (1970), [Ibroy Park](#) (1971), [Summerland](#) (1973), [Flixboro'](#) (1974), [Tasman Bridge](#) (1975), [Seveso](#) (1976), [Granville](#) (1977), [Three Mile Island](#) (1979), [Luna Park](#) (1979), [Abbeystead](#) (1984), [Bhopal](#) (1984), [Bradford](#) (1985), [Chernobyl](#) (1986), [Zeebrugge](#) (1987), [Kings Cross](#) (1987), [Piper Alpha](#) (1988), [Clapham](#) (1988), [Purley](#) (1989), [Hillsborough](#) (1989), [Grafton](#) (1989), [Kempsey](#) (1989), [Cowan](#) (1990), [Coode Island](#) (1991), [Westray](#) (1992), [MS Estonia](#) (1994), [Thredbo'](#) (1997), [Southall](#) (1997), [HMAS Westralia](#) (1998), [Esso Longford](#) (1998), [Mont Blanc](#) (1999), [Ladbroke Grove](#) (1999), [Glenbrook](#) (1999), [Hatfield](#) (2000), [Toulouse](#) (2001), [Petrobras](#) (2001), [Potters Bar](#) (2002), [Waterfall](#) (2003), [BP Texas City](#) (2005), [Sago](#) (2006), [Imperial Sugar](#) (2008), [Deepwater Horizon](#) (2010), [Upper Big Branch](#) (2010), [Fukushima](#) (2011), [Rabaul Queen](#) (2012), [Lac Megantic](#) (2013), [Rana Plaza](#) (2013), [Soma Eynez](#) (2014), [Tianjin](#) (2015), [Samarco](#) (2015), [Dreamworld](#) (2016), [Fengcheng](#) (2016), [Grenfell Tower](#) (2017), [Tangerang](#) (2017), [Quinton](#) (2018), [Kemerovo](#) (2018), [Morandi Bridge](#) (2018), [Brumadinho](#) (2019), [Yancheng](#) (2019).....*He not busy being born is busy dying and if my thought dreams could be seen they'd probably put my head in a guillotine but it's alright ma I'm only bleeding.* ⁴⁸⁵⁷⁻⁴⁹⁰⁷

The region has also experienced its share of sorrow and strife via a series of mining fatalities, which included: Moura 4 (1986), South Bulli (1991), Porgera (1994), Moura 2 (1994), Gretley (1996), Northparkes (1999), Pike River (2010), ⁴⁹⁰⁸⁻⁴⁹¹⁶?????

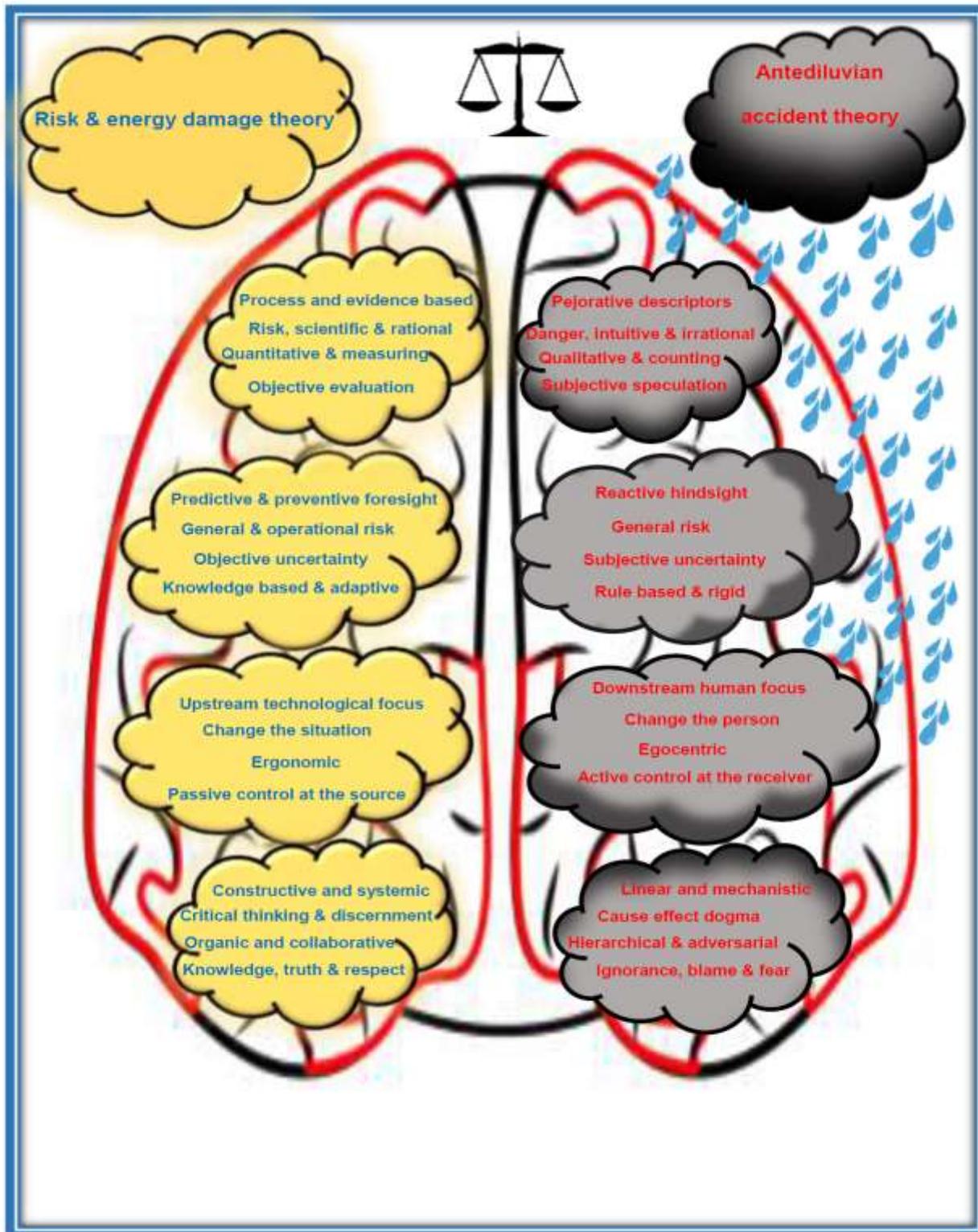
In developing countries, especially China, statistics are even more appalling and many incidents remain undisclosed. Interesting distinctive patterns have emerged from the study of disasters, which are discussed extensively by Quinlan. ⁴⁹¹⁷⁻⁴⁹¹⁹

Despite rigorous efforts throughout the early 1990s, confined space entry fatalities recur with an alarming frequency and Queensland's resources sector has recently witnessed a resurgence of coal workers' pneumoconiosis. An operational or material risk has found many asleep at the wheel and the standard of risk control must be proportional to the likely worst consequence. A fragile production and protection dichotomy will obviously arise when mercenary rednecks receive substantial performance bonuses to achieve extreme production targets. However, victims and their dependents often discover that the theatre of law has little to do with the quest for truth or realisation of justice. ⁴⁹²⁰⁻⁴⁹²⁸

W. Edwards Deming remarked.....*There are two ways to improve figures; cheat, lie and change the numbers and don't count injuries and defects or improve the process.* The murderous tyrant, Joseph Stalin, (he was pretty conversant with totalitarian regimes and dystopian environments) was somewhat more ruthless and quoted...*One death is a tragedy and a million is a statistic.* Corporations have zero compassion and exhibit similar psychopathic, oppressive and socially autistic tendencies. They are an anthropomorphic fallacy, without any memory, soul to save or body to incarcerate. ⁴⁹²⁹⁻⁴⁹⁴¹

Transformational change will only occur when antediluvian accident theory is replaced with a transdisciplinary approach which embraces the scientific and technical paradigm with fundamental principles of psychology. It does not require tearing down the entire house and if moral responsibility is removed from law, all that remains is technical administration. This is reiterated by the loose legal philosophy of the late Justice Thurgood Marshall.....*You do what you think is right and let the law catch up.* Risk and energy damage theory fulfils this requirement and reflects and aligns with the contemporary guiding principles of risk management, operational excellence and unique characteristics of high reliability organisations. It has many advantages over miasmatic accident theory, which significantly impedes organisational development. Attributes and consequences are categorised, summarised and compared in Figure 43. ⁴⁹⁴²⁻⁴⁹⁴⁷

Figure 43: Attributes and consequences



The socioeconomic consequences following the [global financial crisis](#) over a decade ago are still reverberating through politics. The [lumpenproletariat](#) has experienced savage cuts to public services, [oppressive working conditions](#), insecure or [underemployment](#), stagnating wages and moribund living standards. It has generated escalating inequality with increasing occupational health and safety risks, particularly [psychosocial issues](#). The state rescued an ailing financial system via printing more money or [quantitative easing](#) and slashing interest rates. More than [nine million families](#) across the United States lost their homes to banks or were forced to sell their properties following unethical practices of financial predators. In the United Kingdom remuneration and bonuses for banking executives have rebounded to [obscene levels](#) witnessed before the financial meltdown whilst the nation endures its longest period of [wage stagnation](#) since the 1860s. [4948-4955](#)

Meanwhile the [US Federal Reserve](#) bailed out the world to protect the [interests of capital](#) and bolster the financial system. If it failed to intervene the consequences may have been much worse than during the [great depression](#) of the 1930s. Despite the calamity, there has been little reflection or discernment about the inherent failings of neoliberalism and laissez faire economics. [Keynesian philosophy](#) was vilified following the [1970s recession](#) and replaced by deregulation, diminution and privatisation, which has created fiscal austerity and escalating inequality with a devastating impact on work health and safety. The consensus was politics was no longer a partisan confrontation and should remain neutral regarding policy and public affairs. However, the resulting [Armageddon](#) following [2008](#) exposed many weaknesses with [free market ideology](#). It often manifests in disasters such as [Upper Big Branch](#) and [Deepwater Horizon](#) or the resurgence of [black lung](#) across the [United States](#) and [Australia](#). [4956-4968](#)

A much more [fundamental review](#) of the role of government is required, which involves resetting [market and state](#) boundaries and establishing how a civilised and democratic society must treat its people. Following the global financial crisis the free market advocates admitted their entire [intellectual edifice](#) had collapsed. It is time for their opponents to fill the vacuum. Indeed an [economy is not a society](#), *sous les pavés la plage* and the words from [Tawney](#) in [Religion and the Rise of Capitalism](#) back in 1926 resonate.....*A reasonable estimate of economic organization must allow for the fact that, unless industry is to be paralyzed by recurrent revolts on the part of outraged human nature, it must satisfy criteria, which are not purely economic.* [4969-4974](#)

CFA Fixville - No one here gets out alive

The [Country Fire Authority](#) (CFA) has legislative responsibility for handling fire and other related emergencies throughout regional Victoria in Australia. It employed a significant proportion of volunteers and regularly conducted firefighting and emergency response exercises at its spiritual home, the [Fiskville training college](#) near [Ballan](#), approximately 80 kilometres northwest of Melbourne. The site provided residential accommodation for career firefighters and activities typically included classroom delivery of contemporary theory supplemented by rigorous practical exercises on a designated training pad to simulate an extensive range of emergency scenarios. The facility was also occasionally used by the [Metropolitan Fire Brigade](#) and selected corporate clients. ⁴⁹⁷⁵⁻⁴⁹⁷⁹

A former [chief fire officer](#) and instructor spent 25 years with the organisation and lived at the Fiskville accommodation quarters for several years during the late 1970s. The [senior employee](#) was eventually diagnosed with a rare autoimmune disease and battled [multiple cancers](#) for almost 15 years. Following extensive personal research serious concerns emerged regarding the use of [contaminated recycled water](#), [chemical exposure](#) and the prevalence of [cancer](#) amongst numerous other [firefighters and instructors](#) who lived and worked for many years at the [Fiskville](#) complex. A meeting was arranged with a board member to discuss the abnormal corollary although it was suddenly cancelled for unexplained reasons. Meanwhile, the employee's condition deteriorated rapidly, which required hospitalisation with specialised intensive health care. A casual and rather [indifferent corporate response](#) left the victim and immediate dependents somewhat disenchanted. There was no alternative but to seek assistance through various [media outlets](#) via an intense focus on their traumatic plight and the travesty of [justice](#). ⁴⁹⁸⁰⁻⁴⁹⁸⁷

Extensive investigations via [Sun Herald](#) journalists revealed many further [disturbing allegations](#), some of which dated back almost 30 years. A [slops or muck truck](#) was frequently used to supply a cocktail of [flammable or combustible liquids](#) to the facility, which were often donated from various petrochemical companies and fuel depots throughout Melbourne and regional Victoria. The toxic solvents were ignited and extinguished using [perfluorinated chemical foams](#) and [contaminated recycled dam water](#) during [emergency scenarios](#) at the firefighting training pad. Liquids were usually mixed and often handled, decanted and stored haphazardly in [unlabelled](#) corroded containers. Redundant drums frequently contained dregs or residues and were subsequently buried in the immediate environs. Many of the chemicals were linked to heart, kidney and liver damage and an extensive range of autoimmune and blood disorders. At least nine people died from cancer related illnesses, which were correlated to chemical exposure at the site and a further eight individuals experienced serious [health problems](#). ⁴⁹⁸⁸⁻⁴⁹⁹⁹

Despite a [geotechnical investigation](#) in 1988, which reviewed waste disposal protocols and identified environmental contamination and exposure to benzene and other aromatic carcinogens, [Fiskville employees](#) and [local residents](#) were never informed of the associated risks. Indeed, there was increasing [substantive evidence](#) that firefighters and instructors were exposed to a lethal cocktail of carcinogenic chemicals from the specific firefighting activities. This included incorrect use, handling and storage of [dangerous goods](#) at the Fiskville site. Political pressure was also escalating and the smoke alarms awoke [Rip Van Winkle](#) (aka the torpid state premier [Toorak Ted Baillieu](#)), from his slumbers. The laissez faire acolyte and [free market fundamentalist](#) promised a full [investigation](#), which was corporate doublespeak for a superficial whitewash using taxpayers money. ⁵⁰⁰⁰⁻⁵⁰¹⁴

The decision was supported by the [Country Fire Authority](#) and its senior executives although the entire process degenerated into a sinister but somewhat familiar sanitised ritual that merely sacrificed truth and accountability to protect reputations. Its subsequent [report](#) attracted extensive criticism, especially from several [Fiskville victims](#), the [United Firefighters Union of Australia](#) and some [local residents](#). Serious concerns were raised regarding a perceived [conflict of interest](#), which undermined any skerrick of integrity. The organisation's [chief executive officer](#) and lead investigator were [former colleagues](#) and previously held senior roles within a principal state regulator, the [Environment Protection Authority Victoria](#). Its subsequent investigation would inevitably assess their previous public service performance and the duo remained silent about the anomaly and failed to disclose any incongruity. Furthermore, an independent review regarding the decision to appoint [Professor Rob Joy](#) conducted by [Pricewaterhouse Coopers](#) inexplicably disregarded or evaded the enigma. ⁵⁰¹⁵⁻⁵⁰¹⁹

The manicured [terms of reference](#) constrained the investigation and failed to examine any events or dangerous practices at the facility beyond 1999. This unilaterally [prescribed limit](#) circumvented a critical recruitment campaign, which conveniently excluded many conscripts that passed through the training college at the turn of the millennium. The investigation was restricted to arbitrarily and qualitatively [defined target groups](#) and was unable to establish any statistical significance between exposure to [carcinogens](#) and the abnormal cluster of cancer related illnesses. However, it did recommend additional epidemiological health studies, which were eventually undertaken by the [Monash University Centre for Occupational and Environmental Health](#) under its [Department of Epidemiology and Preventive Medicine](#). The [health study](#) was designed to investigate overall [cancer incidence and mortality rates](#) amongst Fiskville firefighters, instructors and other defined target groups. Despite several limitations, the extensive research ultimately confirmed a [statistically significant](#) increased cancer rate amongst the high risk category, which encompassed firefighters and instructors working on the Fiskville training pad. ⁵⁰²⁰⁻⁵⁰²⁸

Meanwhile, the [initial whistleblower](#) eventually succumbed to [numerous cancers](#) and many other victims and distraught dependents were left chasing smoke in their quest for compensation and justice. Most of the claimants were dehumanised and frequently encountered a tyranny of bureaucracy, which defused and diffused their anger and sorrow into a [vacuous officialdom](#). The [patronising disposition of unaccountable power](#) was exacerbated by traditional and somewhat sinister but all too familiar [delay, deny and die](#) tactics..... *The time to hesitate is through no time to wallow in the mire, try now we can only lose and our love become a funeral pyre.* ⁵⁰²⁹⁻⁵⁰³⁴

Following a Victoria [state election](#) in November 2014 the Liberal National Party [coalition government](#) under [Denis Napthine](#) was defeated and the Australian Labor Party assumed office via the leadership of [Daniel Andrews](#). The incumbent premier promptly announced a [public inquiry](#) into the operation and management of the [CFA Fiskville](#) training academy. The [terms of reference](#) were extended to cover operational activities beyond the new millennium, which triggered the resignation of its [chief executive officer](#) on the eve of the inquiry in February 2015. ⁵⁰³⁵⁻⁵⁰³⁹

[CFA Fiskville](#) was the spiritual home for many rural Victoria firefighters and [epidemiological evidence](#) suggests that contamination from its operational activities contributed to a cluster of [occupational cancers](#) and other related illnesses. Moreover, health and safety concerns, especially regarding [contaminated water](#) and the handling and storage of [dangerous goods](#), which included [perfluorinated firefighting foams](#) were abruptly disregarded or ignored. The [egregious performance](#) of senior executives and management left numerous firefighters and community members feeling angry, frustrated and betrayed with many abandoned families shrouded under a brume of despair and anxiety. ⁵⁰⁴⁰⁻⁵⁰⁴⁹

This was exacerbated by obstructive and uncooperative [document recovery processes](#) during the public inquiry. It merely prolonged proceedings, consumed valuable resources and shredded any skerrick of organisational accountability. Meanwhile, the lingering panjandrums and deadwood sacrificed truth via an [obedience to the orthodoxy](#) to preserve power and protect reputations. Evidence throughout the [public inquiry](#) indicates it was inconceivable that senior management was unaware of the [operational or material](#) risks. The regular engagement of [independent consultants](#) to review site activities and document extensive reports confirms recognition of their occupational health, safety and environmental responsibilities although the organisation often failed to address many of the recommendations. Furthermore, a dictatorial [organisational culture](#) persistently discouraged any internal criticism or complaints. This invariably left many subordinates and trainees somewhat reluctant to report any concerns about environmental contamination or potential occupational health and safety risks in case it jeopardised professional career expectations and future job opportunities. ⁵⁰⁵⁰⁻⁵⁰⁵⁵

During March 2015 extensive [potable water quality testing](#) identified significant widespread quantities of [perfluorooctane sulfonate](#) across the site. The pollution extended to previously uncontaminated locations which included hydrants and auxiliary pipework surrounding the training pad. The surfactant is classified as a [persistent organic pollutant](#) and was used as an additive in several [perfluorinated firefighting foams](#). There is conflicting information regarding its [toxicity](#) and inconclusive evidence to categorise the substance as a human carcinogen. However, amidst the public inquiry the CFA board members confirmed it could no longer guarantee the safety of people and the environment at the site and announced its [permanent closure](#). The state government under Daniel Andrews endorsed and reinforced the decision and a [media release](#) was issued accordingly. [5056-5062](#)

During the public inquiry the role of [WorkSafe Victoria](#) came under intense scrutiny and the regulatory authority attracted extensive and often excoriating criticism. Over ten years its inspectors made 117 visits to the site but failed to address many significant [operational risks](#), which included the handling and storage of [dangerous goods](#) and potable water quality. It even provided a [letter of assurance](#) confirming the safety of firefighting water at the site although it did not conduct any testing and its understanding of the water source was somewhat vague. Following the decision to close the facility for safety reasons [WorkSafe Victoria](#) merely acted as a nonchalant observer. Its egregious performance as a safety ombudsman provoked the [state government](#) to demand accountability, which resulted in the [resignation](#) of its chief executive officer and chairman. [5063-5069](#)

It is indisputable that [many people were harmed](#) following a persistent litany of unsafe conditions and practices across the Fiskville site and the victims have a right to [meaningful justice](#). However, it is much more than financial compensation and [justice delayed is merely justice denied](#). The [existing avenues](#) for compensation were a deplorable and somewhat dehumanising tyranny of bureaucracy, which prompted the [state government](#) to introduce [presumptive legislation](#) for its firefighters. [5070-5075](#)

Another disappointing feature throughout the public inquiry and recurring theme with Australia's peak industry [health and safety body](#) was its lassitudinous response over such a significant operational or material risk. Despite or maybe in spite of its [grandiloquent vision](#) and proclamation as a voice for the unique perspective of its profession, it failed somewhat predictably to afford official representation at the numerous [public hearings](#) or provide any [written submissions](#). Meanwhile, it repeatedly promotes shallow national and regional [safety conferences](#) and other regular events that merely regurgitate [Heinrich's junk science](#) and [Skinner's black box psychology](#) amongst its cohorts of solipsistic, acquiescent and pseudo-academic recreants.... *You know that it would be untrue, no time to wallow in the mire. Try now we can only lose; [Come on baby light my fire](#).* [5076-5083](#)

Arbeit macht frei

Arbeit macht frei is a phrase meaning [work sets you free](#). It was used throughout Germany in the 1930s to counteract the scourge of unemployment and eventually appeared above the entrance gates of [Auschwitz](#), [Mauthausen-Gusen](#) and many other Nazi concentration camps during the second world war. The slogan originated from a novel by [Lorenz Diefenbach](#) and extolled the virtue of labour for many disparate vagabonds on the road to [Damascus](#). It promised liberation but the eventual outcome with its devastating humanitarian consequences was not the kind anyone wanted or envisaged. [5084-5088](#)

Sinister strategic planning underpinned by an ideology of hostility and hatred became a bureaucracy of death. The mechanisation of slaughter began with exclusion, dehumanisation, internment and atrocity, which is a byproduct of apathy and the bastard child of a complacent public. An insidious impiety was embedded into language and quotidian transactions until it induced a collective paralysis and the inertia became [normalcy](#). The [dehumanisation](#) of others via [prejudice](#), racism, narcissism, solipsism and [intimidation](#) sets us on the [slippery slope to barbarism](#). This [drift into failure](#) or navigating the treacherous safety space between the [production and protection](#) dichotomy is a furtively deceptive trajectory, especially amidst a vulgar climate of casino capitalism. [5089-5093](#)

Many decades have passed since the killing fields of [Hawks Nest](#), [Aberfan](#), [Farmington](#) or [Moura 4](#) and some sociologists familiar with [Godwin's Law](#) may repudiate any comparison with death camp atrocities. However, despite prescriptive or performance based legislation and a trojan horse of [corporate manslaughter](#) offences, the [industrial carnage continues](#) relentlessly. The doublespeak and insincerity is evident throughout many Australian factories, construction projects and mine sites via their entrance gates, which are frequently festooned with similar beguiling [propaganda](#) and turgid sludge, which includes [Zero Harm](#) or [Safety is our No. 1 priority](#). It is frequently supported by indoctrinating inductions and misinformation using manipulated reactive metrics such as lost time or total recordable injury frequency rates. This perverts the significance of events and insinuates false intentions.... *Oh what a tangled web we weave, when first we practise to deceive.* [5094-5102](#)

In Australia, its self-proclaimed peak industrial safety body recently responded by changing its brand name to the [Australian Institute of Health and Safety](#). However, without a skerrick of vision the organisation is morally bereft and philosophically rudderless. It is merely polishing a turd or putting lipstick on a pig in a belated, desperate and otiose attempt to repair a tattered image and restore its diaphanous integrity. Moreover, a maxim from [Edmund Burke](#) resonates..... *The only thing necessary for the triumph of evil is for good men to do nothing.* [5103-5104](#)

Speak up

First they came for the socialists, and I did not speak out –

Because I was not a socialist.

Then they came for the trade unionists, and I did not speak out –

Because I was not a trade unionist.

Then they came for the Jews, and I did not speak out –

Because I was not a Jew.

Then they came for me and there was no one left to speak for me.

Martin Niemöller (1892 - 1984) ⁵¹⁰⁵

Blowing in the wind

The only safe ship in a storm is leadership

Faye Wattleton ⁵¹⁰⁶

Disasters involving trains, boats and planes always capture the public imagination and usually occur elsewhere involving other people. Subjective risk is typically attenuated via emotional proximity and diminishes over time. However as the scale of transportation escalates, Pierre de Coubertin's hendiadys of citius, altius, fortius prevails. The objective risk inevitably increases and requires implementation of proportionate, pragmatic and reliable controls. During the 1960s most commercial airlines carried less than 70 passengers supplemented with a handful of crew. Since the 1980s Boeing and Airbus have significantly increased their aircraft seating capacity amidst an unrelenting quest to minimise costs and maximise profits, which occasionally generates devastating social consequences. ⁵¹⁰⁷⁻⁵¹¹⁷

In August 1985 a Japan Air Lines Boeing 747SR flight experienced sudden decompression following departure from Haneda Airport. The superjumbo slammed into a ridge near Mount Osutaka in the Gunma prefecture west of Tokyo with the loss of 520 passengers and crew. It remains the worst single plane disaster in aviation history. Nonetheless, a typically bigger is best US induced psyche flourishes and the current Airbus A380, which completed its maiden flight from Blagnac airport in 2005, accommodates over 800 passengers. ⁵¹¹⁸⁻⁵¹²⁴

The entrepreneurial and buccaneering US oil industry tycoon, John D. Rockefeller somewhat predictably embraced a laissez faire spirit towards disasters, which encouraged the transformation of adversity into opportunity. This commodification was reflected following the World Trade Centre attack in the financial district of downtown Manhattan. A dedicated memorial features twin commemorative pools and has lured over 30 million visitors since its inauguration in 2011. The not for profit venture with its beguiling complementary museum officially opened in 2014 and attracts almost 9000 people each day. A \$69 admission fee generates over \$200 million each year although the cost of fitting aircraft cockpits with substantial doors and strong latches was a modest \$3000 per plane. ⁵¹²⁵⁻⁵¹²⁹

Despite rapid technological advances and the emergence of artificial intelligence, the transport disasters continue. This includes the recent Boeing 737 Max aircraft tragedies and another aphorism from R. H. Tawney resonates.....*Mankind may wing her secrets from nature and use their knowledge to destroy themselves.* ⁵¹³⁰⁻⁵¹³²

Day of the roses

Many elderly Australians never forget [Granville](#) and can vividly recall the moment news broke with reports of the [horrific carnage](#) on that fateful January morning back in 1977. The [disaster](#) unfolded within seconds although it was a decade or more in the making via [budgetary constraints](#), especially on rail infrastructure and maintenance expenditure. Its aftermath provided valuable lessons, especially covering emergency response, [pathophysiology](#), psychological welfare and [pastoral care](#). ⁵¹³³⁻⁵¹³⁸

The [passenger train](#) from [Mount Victoria](#) in the [Blue Mountains](#) was packed with early morning rush hour commuters. After leaving [Parramatta](#), the engine with its eight carriages entered a deep narrow cutting and negotiated a curved track as it approached [Granville](#) railway station. The locomotive suddenly [derailed and demolished](#) several support stanchions of an overhead bridge. Its leading coaches were dragged from the rails as the engine toppled and slithered to a halt on its right hand side. The first carriage struck a severed power pylon and the boxcar was ripped open like a can of pilchards, killing eight people instantly. Every passenger in the second carriage survived without suffering any serious physical injuries although psychological trauma was inevitable. ⁵¹³⁹⁻⁵¹⁴⁴

The [Bold Street](#) overpass carrying four vehicles immediately above the tracks briefly shuddered before the reinforced concrete decking collapsed onto the third and fourth railway carriages below and crushed many of the occupants. It claimed the lives of [84 passengers](#), which included an [unborn child](#) and left countless victims physically injured and emotionally shattered. Like the majority of transport disasters, it unravelled almost spontaneously and despite a formal inquiry, it bequeathed an abundance of unanswered questions and changed the lives of so many people forever. The inquiry exonerated the [locomotive driver](#) who survived the ordeal along with several colleagues and the motorists on Bold Street bridge. ⁵¹⁴⁵⁻⁵¹⁴⁸

The original inquiry identified the unsatisfactory condition of the [permanent way](#) and substandard rail fastening as a significant contributory factor. It enabled the track to splay beyond its gauge, which displaced the locomotive's left front wheel although more [recent research](#) and anecdotal evidence suggests a [defective front wheel](#) on the locomotive required replacement. However, auxiliary components and many other spare parts were sold for scrap to raise funds and the engine continued operating under surveillance. This curtailed maintenance expenditure and fulfilled stringent state rail transport budgetary constraints until [Murphy's law](#) raised its head. ⁵¹⁴⁹⁻⁵¹⁵²

The state [Public Transport Commission](#)'s [budget deficit](#) amounted to [millions of dollars](#) each year and the maintenance of [rail infrastructure and rolling stock](#) was sadly neglected, which was quite evident via the uncleanliness of its threadbare rail carriages. This was exacerbated via the continual exchange of [track inspection](#) crews over many months preceding the disaster. Other contributing factors included the structural design and features of the [Bold Street](#) concrete overpass, especially the precarious location of support stanchions. Investigations also revealed the bridge had been struck previously by a derailed locomotive some ten years ago and more recently in 1975 by a loaded coal wagon. [5153-5157](#)

Rescue crews were praised for their professionalism under such extremely difficult conditions although a [debriefing exercise](#) almost a month later raised several concerns. Emergency response teams including the state [police rescue](#), [fire brigade](#) and [ambulance](#) services arrived at the scene and encountered the unenviable task of removing corpses from the crushed and flattened carriages. The narrow rail cutting restricted access and efforts were somewhat compromised by the structural integrity of the overhead bridge and its unstable remaining sections. This required [cutting and grinding](#) equipment to dismantle entire segments of the collapsed reinforced concrete decking and the use of [mobile cranes](#) and other [lifting and load bearing](#) devices. [5158-5165](#)

Risks were exacerbated by the unnecessary [accumulation of spectators](#), stifling [summer heat](#), [high voltage electricity](#) and an unanticipated [bulk storage](#) of [liquefied petroleum gas](#). This was used to heat carriages during winter months and the flammable compressed gas began leaking from damaged cylinders and fractured pipelines. It required application of water sprays to reduce the risk of fire or explosions whilst using [oxyacetylene cutting equipment](#) during the rescue operation and the last body was eventually removed from the wreckage some thirty hours later. [5166-5171](#)

Several trapped passengers suffered [traumatic rhabdomyolysis](#) or crush injury syndrome and succumbed to the ensuing complications following accumulation of toxins, which caused heart and kidney failure. There was no structured or formal arrangements covering psychological support or [pastoral care](#) for emergency response crews. Many team members reported symptoms of [anxiety](#), [insomnia](#) and [depression](#) almost a month later following their harrowing experiences at the disaster scene. [5172-5174](#)

After the [inquiry](#), [recommendations](#) from [Justice Staunton](#) included the provision of disaster and crisis management training for [emergency services](#) and social welfare groups. This involved establishment of the [National Association for Loss and Grief](#), which provided support for [rescue personnel](#) affected by the disaster. The late Neville Wran, who was appointed as state premier for New South Wales just before the disaster, borrowed heavily to renovate the [ailing state rail infrastructure](#) via a substantial \$200 million improvement plan. [5175-5180](#)

The Bold Street overpass and other similar structures were progressively replaced by single span bridges, which eliminated requirements for trackside support stanchions. Other fleet maintenance initiatives included installation of automated carriage washing facilities at the Flemington, Punchbowl, Mortdale and Hornsby depots. These were recently modified and additional amenities were provided at the Sydenham yard to accommodate diesel operated trains. ⁵¹⁸¹⁻⁵¹⁸⁸

Following the tragedy, the profound grief and suffering was immeasurable and a voluntary group established a memorial trust although it was never officially registered. Donations were received from many anonymous sources, which enabled the organisation to erect a memorial wall near the site and hold annual commemorative services. Each year the emotional ceremony ends on Granville's Bold Street bridge and red roses are scattered onto the railway tracks below to remember the many victims who never made it home on that fateful day. ⁵¹⁸⁹⁻⁵¹⁹²

During the 30th anniversary remembrance service an additional commemorative plaque was unveiled on Bold Street bridge by the state transport minister to acknowledge the assistance of many rail workers during the disaster. Almost a decade later in 2016, the Granville Train Disaster Association, was officially established to coordinate subsequent events, which unfortunately coincided with the amalgamation of several local government councils, restructuring and reallocation of jurisdictions. The memorial site and annual commemoration were not officially recognised under the administrative arrangements of a recently established Cumberland Council. Its impassive panjandrums merely instructed the association to apply for a council grant to guarantee continuation of the remembrance services, which offended several volunteers and upset many bereaved dependents. ⁵¹⁹³⁻⁵¹⁹⁷

In January 2017, survivors, relatives and rescuers gathered for the 40th anniversary of the disaster in Sydney's western suburbs. It included a church service at St Marks Anglican Church in Granville before proceeding to the memorial garden and culminated in the red roses ceremony from the Bold Street bridge overpass. ⁵¹⁹⁹⁻⁵²⁰¹

On the 4th May 2017 the state premier acknowledged the often callous or insensitive treatment afforded to many of the victims under Neville Wran's leadership and a formal apology was issued in the New South Wales parliament. At a recent Cumberland council meeting its newly elected councillors unanimously agreed to provide support for the commemorative service and request assistance from the state government and Parramatta City Council. Many of the bereaved families, survivors and other victims were disregarded and felt neglected for many years after the disaster and the following poignant lyrics from The Rose resonate: ⁵¹⁹⁸⁻⁵²⁰⁹

*When the night has been too lonely and the road has been too long
And you think that love is only for the lucky and the strong
Just remember in the winter, far beneath the bitter snows
Lies the seed, that with the sun's love, in the spring becomes the rose*

Since Granville, [Australia's population](#) has increased by 44% to 25 million people and the scale of its rail transport network, especially throughout its major cities has escalated accordingly. Improved design and technology may have reduced the objective risk and most public and private rail network operators have implemented [systems](#) that employ a positive degree of control, which is validated via an absolute and [vigilant attention](#) to safety. It indicates risk is decreasing on a [total industry sector](#) basis irrespective of growth and is [typically expressed](#) as the number of fatalities each year attributed to rail transport. However, while the [network](#) continues operating the risk will never be eliminated and any light at the end of the tunnel may well be a freight train. This is reflected by a more recent series of [high profile rail disasters](#) across the United Kingdom and in Australia. These include [Clapham](#) (1988), [Cowan](#) (1990), [Southall](#) (1997), [Glenbrook](#) (1999), [Ladbroke Grove](#) (1999), [Hatfield](#) (2000), [Potters Bar](#) (2002) and [Waterfall](#) (2003). [5210-5224](#)

Most [rail disasters](#) attract extensive media coverage, which initially amplifies [subjective risk](#) and it is often exacerbated through social media platforms and repetitive 24/7 news broadcasts although it is rapidly attenuated by the voice of the powerful. The confected public outrage inevitably generates a hollering for [justice or closure](#) via [corporate manslaughter](#) or [culpable homicide](#) legislation. It merely creates a [lawyer's picnic](#) and fans the flames on the carousel of culpability breeding more blame and fear. Freedom, awareness and intention are [critical elements](#) in the establishment of criminal liability and the attribution of corporate manslaughter is fraught with legal complexities. Moreover, the act is not culpable unless the mind is guilty and the dilemma was quintessentially addressed by the [Lord Chancellor](#) of Great Britain, [Edward Thurlow](#) back in the 18th century who proclaimed that corporations have.....*No soul to damn and no body to kick.* [5225-5233](#)

The [Clapham Junction](#) rail crash in 1988 was Britain's worst rail disaster and attracted extensive [media coverage](#). British Rail received a £250,000 fine for breaching statutory legislation although there were no prosecutions for manslaughter. Almost a decade later on 19th September 1997, the [Southall disaster](#) in west London involved the collision of an intercity express with a freight train. The passenger train's automatic warning system was isolated and the driver failed to notice cautionary signals and was unable to apply the brakes promptly. [5234-5236](#)

Great Western Trains received a £1.5 million fine for breaching statutory safety legislation although charges of manslaughter by gross negligence against the intercity express train driver were eventually dropped. Following the Hatfield rail disaster in Hertfordshire, Network Rail and Balfour Beatty received substantial penalties for breaching statutory safety requirements. Both organisations were excoriated for their cavalier corporate culture although manslaughter charges against several senior executives were subsequently dismissed. Two years later in 2002 the derailment of an electric train with four carriages at Potters Bar killed seven people and Network Rail received a £3 million fine. ⁵²³⁷⁻⁵²⁴³

These disasters influenced the introduction of corporate manslaughter legislation in the United Kingdom. However, it is not just a question of ethics, intent or morality but also a matter of leadership. The structural levels at which organisational culture is addressed and how it manifests is paramount. More legislation typically generates blame and fear, which undermines common law and extirpates immeasurable traits such as trust, respect and humility. The only safe ship in a storm is leadership, which often relapses into intimidation, especially when extraordinary executive performance bonuses are at risk.....*Money doesn't talk it swears.* ⁵²⁴⁴⁻⁵²⁵¹

Cry me a river

On 2nd February 2012 the MV Rabaul Queen ferry capsized and sank with the loss of approximately 150 passengers in treacherous waters off the northern coast of Papua New Guinea. Despite holding a current but somewhat superficial seaworthiness certificate, the congested, overloaded, listing and dilapidated rust bucket departed from Kimbe in West New Britain the previous day. In a foolhardy and reckless overnight voyage with an indifference to anticipated inclement weather, the vessel and its unqualified crew broached and surfed through wild seas as it crossed the Vitiaz Strait near Finschhafen en route to Lae in Morobe Province. Just before dawn the ferry was hit by three large consecutive waves and it capsized and sank. Most of the passengers, which included many women, teenagers and schoolchildren were thrown into the ocean as the boat rolled and pitched amidst the squally conditions. ⁵²⁵²⁻⁵²⁶⁰

Response vessels arrived at the scene some three hours later and rescued 246 survivors, from drifting emergency life rafts. Several casualties were also found clinging perilously to lifejackets in the treacherous channel. The precise number of fatalities will never be known because the shipping company was unable to provide a genuine manifest of its passengers. Anecdotal evidence suggests the vessel exceeded its specified carrying capacity and overcrowding contributed to the disaster with some survivors estimating almost 700 people were aboard the vessel. The victims included many students and schoolchildren returning to Lae for the impending semesters at colleges and schools within Morobe province. ⁵²⁶¹⁻⁵²⁶⁵

A subsequent [commission of inquiry](#) headed by a retired Australian judge involved numerous [public hearings, submissions and testimonies](#), which disclosed a litany of corporate negligence, recklessness and bungling governance. This included disreputable and potentially unethical relationships and clandestine transactions between the [National Maritime Safety Authority](#), independent certification agencies, insurance companies and even the [head of government](#). The [final report](#) directed an extensive amount of excoriating criticism towards [Rabaul Shipping](#) and its repugnant managing director, [Captain Peter Sharp](#). ⁵²⁶⁶⁻⁵²⁷²

Despite an [extensive maritime career](#), the mercenary and intimidating racist tyrant never displayed a skerrick of concern covering [safety of passengers](#) or crew aboard his fleet of disintegrating rust buckets. It was evident from numerous testimonies that passenger ferries were regularly overcrowded and maintenance was sadly neglected. Indeed, most [expatriate white people](#) in Papua New Guinea were discouraged or even prohibited from using the vessels, particularly during peak operating periods. ⁵²⁷³⁻⁵²⁷⁵

The despicable malapert displayed absolute contempt for authority, especially regulatory agencies such as the [National Maritime Safety Authority](#). Indeed, Captain Sharp's [various shipping companies](#) and fleet of dilapidated passenger vessels using unskilled and subjugated crews plied the [coastal waters](#) of Papua New Guinea unabated over many years. Mariners and other subordinates were frequently [intimidated](#) and treated like bilge water and many believed it was most unfortunate the cantankerous creature was not aboard the vessel when it capsized and sank during its fateful voyage. ⁵²⁷³⁻⁵²⁷⁹

Following the commission of inquiry [several people](#) including the [Rabaul Shipping](#) managing director were [arraigned](#) for [criminal negligence](#) and [manslaughter](#). However, the state failed to prove there was any risk associated with normal use of the ship and Captain Peter Sharp was acquitted of manslaughter. In October 2018 additional charges of sending an unseaworthy vessel out to sea were enigmatically dropped by the public prosecutor. In early May 2019, [Captain Peter Sharp](#) died after a prolonged and painful battle with cancer and many bereaved families following Papua New Guinea's worst civilian [maritime disaster](#) were left chasing smoke..... *While you never shed a tear, I cried a river over you.* ⁵²⁸⁰⁻⁵²⁸⁷

Further revelations from previous [maritime incidents](#) in Papua New Guinea waters suggest the devious and irascible traits may even be hereditary. [Hamish Sharp](#), the deceased captain's brother, was appointed by the incumbent prime minister [Sir Michael Somare](#) to head the [National Maritime Safety Authority](#). It was a rather controversial selection, especially considering the ruthless socially autistic martinet also owned [Bismark Maritime Limited](#), which operated extensive coastal shipping services in the region over many years. ⁵²⁸⁸⁻⁵²⁹²

In early April 2006 two Filipino marine engineers aboard the [MV Sealark](#) suffered severe burns following a fire in its engine room whilst the ship was berthed in Lae harbour. The vessel was eventually sunk and created a 300 metre oil slick within the [Huon Gulf](#). Bismark Maritime Limited was issued with a pollution prevention notice and ordered to raise and remove the wreck from its precarious location by the statutory maritime authority. The response from Hamish Sharp was quite extraordinary and involved selling the wreckage to an anonymous buyer for a surreptitious token sum of [PGK 1.00](#). [5293-5295](#)

The fate of the [injured engineers](#) was shrouded in conjecture although media reports and several patrons in the nearby [Lae Yacht Club](#) claimed it was rather brutal and somewhat inhumane. Both of the victims were left to die and were eventually transferred to Australia for extensive medical treatment at Brisbane and [Gold Coast](#) private hospitals. Several close friends provided noble assistance, which was complemented by pastoral care from an [aboriginal community support group](#). [5296-5299](#)

Many adversaries suggested it was extremely unfortunate the loathsome owner was not aboard the vessel when it was sent to [Davy Jones' Locker](#), where the wreck remains. Moreover, the location presents a [significant risk](#) to commercial shipping entering or leaving the country's [busiest port](#). [5300-5302](#)

The significance of the event gradually attenuated although it rekindled several years later after an incident involving another Bismark Maritime vessel in waters off [Mailu Island](#). A gaping hole suddenly appeared in the port side engine room of the [MV San Pedro](#), which sank to the bottom of the Coral Sea and allegedly contained an extremely valuable cargo. It beggars belief that the head of a statutory authority managed a private shipping company that [lost two vessels](#) in just over two years in coastal waters off Papua New Guinea. [5303-5305](#)

Moreover, the prime minister was a shareholder with the [Pacific Register of Ships](#), a private independent organisation that issued vessel [seaworthiness certificates](#). Its clients included [Bismark Maritime Limited](#) and [Rabaul Shipping](#), which were owned by [Hamish Sharp](#) and [Peter Sharp](#) respectively. It was well established that certification was a superficial nostrum and the major beneficiary from the scam was Bismark Maritime and its treacherous [managing director](#) who controlled the National Maritime Safety Authority. [5306-5307](#)

In Papua New Guinea the malaise is certainly not restricted to maritime transport and prevails throughout the [logistics supply chain sector](#). Convoys of dilapidated trucks with decrepit trailers regularly negotiate the treacherous [Okuk Highway](#) from the port of Lae in Morobe province. The vehicles often carry [dangerous goods](#) such as [ammonium nitrate](#) and [sodium cyanide](#) with bulk diesel and aviation fuel supplies for major [energy](#) and [resources](#) projects in the [Southern Highlands](#) and [Enga](#) provinces. [5308-5316](#)

Despite a myriad of guidelines, [codes of practice](#) and other bureaucratic nostrums, which include independent third party certification audits, it is only a matter of time before the next disaster. The subsequent whitewash or witch hunt often [blames the soporific, intoxicated and inarticulate driver](#) to protect reputations, secure assets and socialise the loss, especially if the victim dies. [5317-5318](#)

The [malfeasance](#) and turpitude equals and often exceeds the egregious performance of many politicians, public serpents and other panjandrums within federal, state and local governments across Australia. Indeed, most established white expatriates in Papua New Guinea invariably have some form and the buccaneering entrepreneurial spirit typically encourages the [deification and accumulation of profit](#). This is usually acknowledged as the ultimate test of human achievement and is often rewarded or bestowed with an [order of chivalry](#), which further encourages devious, dishonest or amoral behaviour to fulfil sinister objectives and attain recognition. [5319-5321](#)

Eternal father strong to save

On Tuesday 5th May 1998 four young sailors died from acute smoke inhalation and carbon monoxide poisoning following an engine room fire aboard the [HMAS Westralia](#) in [Cockburn Sound](#) near [Rottnest Island](#) off the coast of [Western Australia](#). Following a litany of repetitive maintenance issues, which included leaking diesel fuel pipelines, the rigid metal conduits were eventually removed and replaced with braided flexible hoses. The refurbishments circumvented stringent naval engineering specification requirements and disregarded independent registration protocols. [Investigations](#) indicate the fire started following the failure of replacement flexible hoses in the vessel's [engine room](#). A return hose sprayed pressurised diesel onto an extremely hot and unlagged adjoining [indicator cock](#), which exceeded the fuel's [autoignition temperature](#) and flashed accordingly. [5322-5329](#)

The [antediluvian rust bucket](#) with its fatigued systems and [dilapidated equipment](#) was a perennial problem and maintenance issues covering its [leaking fuel pipelines](#) were initially raised during the early 1990s. However the reconfiguration, which included an option of installing [flexible hoses fitted with pulsation dampers](#) proved inordinately expensive and was shelved accordingly. It resurfaced in 1996 via an additional request without using correct naval procedures and supplementary documentation. The proposal involved integral changes to engine accessories and fittings, which required further advice from the [manufacturer](#) and extensive consultation with the naval engineering design section. Moreover, the braided flexible hoses were not an approved component in accordance with the [Lloyd's Register of Shipping](#) protocols. [5330-5335](#)

Despite these critical anomalies, the request eventually progressed and was enabled by senior personnel including [HMAS Westralia](#) and [ADI Limited](#) representatives, who were fully conversant with the inconsistencies. The chicanery continued via a routine maintenance request to expedite implementation of the [flexible hoses](#). This furtively circumvented requirements covering the provision of detailed specifications, [piping and instrumentation diagrams](#) and authorisation from a naval engineering representative. It was not a unique occurrence and the ruse was frequently deployed to dispense with bureaucracy and accelerate maintenance activities. [5336-5339](#)

Procurement of the flexible hoses was littered with a [catalogue of discrepancies](#) and confirmed equipment purchasing and supply processes were somewhat ineffective. Indeed the hoses ordered were not the model purchased, which were different to the type that were actually supplied and installed aboard the vessel. It was quite evident that several [HMAS Westralia](#) and [ADI Limited](#) personnel did not have the capacity, competency or capability to fulfil their allocated roles and responsibilities, which contributed to the devastating consequences. [5340-5342](#)

Following an extensive [Royal Australian Navy](#) board of inquiry into the fire aboard the vessel, the subsequent [coronial inquest](#) into the fatalities concluded the [deaths were accidental](#). Families of the victims were not represented during the [naval inquiry](#) and the bereaved dependents and relatives were left chasing smoke with more questions than answers. The eerily familiar witch hunt discounted and disguised the miasma and immeasurable cost of human suffering. [5343-5345](#)

The [battle](#) between government departments, private companies, contractors and legal representatives degenerated into a formulaic [blame game](#) with a retrospective judgement of convenience. The [bereaved families](#) expected honesty and integrity with some genuine compassion. However, their quest for [justice](#) was patronisingly defused and diffused into a mendacious labyrinth of bureaucracy, where dignity, respect, [truth and accountability](#) were sacrificed to [protect reputations](#), disguise [deception](#) and conceal incompetence. [5346-5353](#)

A catalogue of [pertinent information](#) during the clandestine inquiry remained unscrutinised and many participants were never interviewed or provided statements. It appears defence policy prevented civilian and military personnel from describing the systemic failures within [naval engineering](#) over several decades via a system that privileged the interests of the powerful over the rights of the powerless. Meanwhile, condescending military commanders are left sipping vintage [Tawney port with Blue Stilton](#) and relaxing on fat pensions in the [Royal Motor Yacht Club](#) as the evening sun sets beyond [Scotland Island](#) on [Pittwater](#). [5354-5359](#)

The deaths on HMAS Westralia were not isolated events and additional fatalities and serious incidents occurred aboard several other naval vessels. Before the late 1970s merchant and military ships typically discharged their [sewage and oily wastes](#) at sea. However, following the [Torrey Canyon](#), [Argo Merchant](#) and [Amoco Cadiz](#) super oil tanker disasters, the [London](#) and [Marpol](#) maritime conventions and other [supplementary protocols](#) were introduced. This provided an international environmental [regulatory framework](#) covering waste disposal at sea although some years later it resulted in devastating consequences aboard several [Royal Australian Navy vessels](#). ⁵³⁶⁰⁻⁵³⁶⁸

In March 1981 [HMAS Onslow](#) was inadvertently flooded with diesel exhaust fumes during submarine manoeuvres out of Sydney heads. One of its [crew](#) died from [carbon monoxide poisoning](#) and many other submariners suffered convulsions from blood poisoning or were rendered unconscious. Medical examinations, which included analysis of blood [carboxyhaemoglobin levels](#) revealed almost one third of its complement absorbed twice the lethal limit of [carbon monoxide](#). A [naval board of inquiry](#) identified the cause as [human error](#) when a duty engineer failed to shut down the vessel's diesel engines before it submerged. However many of the submariners contested the findings and claimed the cause was defective mechanical equipment. ⁵³⁶⁹⁻⁵³⁷⁵

In [December 1981](#) a young naval reserve cadet collapsed in the bathroom aboard [HMAS Tobruk](#). Despite prompt first aid and medical evacuation the casualty never regained consciousness and died almost a week later in the [Royal Brisbane hospital](#). Subsequent investigations revealed the victim was asphyxiated following a toxic [hydrogen sulphide](#) or rotten egg gas leak in the vessel's sewerage. ⁵³⁷⁶⁻⁵³⁷⁹

On the 22nd October 1985 the [HMAS Stalwart](#) was almost 200 miles off [Darwin](#) in the [Timor Sea](#) on course for Indonesia when [toxic hydrogen sulphide](#) fumes from pumped sullage leaked through its stern gland. Three of the crew died and many other casualties were evacuated from the vessel and required intensive care or medical treatment in Darwin. ⁵³⁸⁰⁻⁵³⁸³

[Hydrogen sulphide](#) is an extremely toxic gas, which is heavier than air and commonly encountered in waste sewage with a distinctive odour of rotten eggs. It attacks the olfactory and respiratory system and seizures or convulsions soon emerged amongst many casualties as noble colleagues attempted to administer first aid. The situation deteriorated quite rapidly and its crew began [dropping like flies](#) aboard the vessel. It reluctantly changed course and eventually returned to Darwin. A sequence of medical evacuations began using its [Sea King](#) helicopter with much welcomed assistance from the [Royal Australian Air Force Darwin](#) via a fleet of [Squirrel choppers](#). ⁵³⁸⁴⁻⁵³⁸⁸

HMAS Stalwart reached shore the following day and by the time it moored almost 60 sailors were evacuated from the ship for medical treatment. Following the incident a hydrogen sulphide gas detection system was installed aboard the vessel. A subsequent investigation via a [naval board of inquiry](#) under [Ken Taylor](#) concluded the tragedy could have been avoided if correct engineering practices had been followed. Several hundred [portable gas monitors](#) were eventually purchased for the entire fleet of defence force vessels and were used for the detection of safe oxygen levels and flammable and toxic gases, which included hydrogen sulphide and carbon monoxide. Emergency response scenarios were incorporated into disaster simulation training exercises at several naval bases, which included [HMAS Creswell](#) near Jervis Bay, [HMAS Cerberus](#) on the Mornington peninsula in Victoria and at [HMAS Stirling \(Fleet Base West\)](#) in Western Australia. [5389-5394](#)

Over two decades later in August 2006 during training exercises off Darwin, four sailors aboard [HMAS Maitland](#) required medical treatment following exposure to hydrogen sulphide gas in the vessel's sewerage. The ship was one of the Royal Australian Navy's fleet of [Armidale patrol boats](#), which were [plagued with problems](#) after the vessels were initially commissioned. Many [complaints](#) emerged and included contaminated fuel, blocked toilets, overcrowding and insufficient storage space for personal items. [5395-5398](#)

HMAS Maitland was carrying almost 600 litres of [sewage](#) that could not be discharged because insufficient onshore facilities were available and it festered over several days in the vessel's [holding tanks](#). A valve malfunctioned whilst the waste was pumped out to sea and [hydrogen sulphide gas](#) seeped into the crew's confined accommodation quarters, which were also allegedly used for [rescued asylum seekers](#). One navy casualty spent several days in hospital under intensive care and was subsequently classified as [medically unfit](#) and discharged from active service. This followed a distinguished career spanning over two decades, which included membership of an elite [minor war sea vessel training squad](#). [5399-5404](#)

There was no official naval board of inquiry although [internal investigations](#) revealed the vessel had several [design defects](#) and was approved for duty and sent out to sea without an [environmental management plan](#). The location of its gas vents and sewage discharge lines failed to meet [military specifications](#) and there was no coherent plan or training provided covering operation of its sewerage system. Following a series of additional clandestine internal investigations the [Australian Defence Force](#) issued a statement claiming the [Armidale class patrol boat](#) was a safe, capable and reliable vessel.....*[Everybody knows that the boat is leaking, everybody knows that the captain lied; everybody's got that broken feeling like their father or their dog just died.](#)* [5405-5411](#)

On the 3rd August 1987 the [HMAS Otama](#) left its moorings at the [submarine base](#) in North Sydney to test an advanced [hydrophone system](#) out of Sydney heads. The weather rapidly deteriorated en route, which forced cancellation of activities and two young sailors were despatched to secure the sonar equipment and retrieve its accessories. During stowage of auxiliary components the vessel prepared for diving and submerged several minutes later leaving the two submariners inside its [conning tower](#) but outside the pressurised hull without lifejackets. The occupants climbed the fin and attempted to contact the control room before being washed overboard almost ten nautical miles off the coast. Despite post dive checks and an interim rotation of duty stations it took almost 30 minutes to confirm the sailors were missing and the captain was eventually informed almost an hour later. Following a [frantic search](#) with assistance from several other defence vessels and aircraft amidst extremely wild weather, the two bodies were never recovered. [5412-5416](#)

A naval board of inquiry recommended [court martialling](#) two officers although this was subsequently rejected by the top brass in [navy headquarters](#). The defence force believed it was effectively [scapegoating](#), especially considering the incident involved multifactorial elements. Several of the crew including the [two implicated officers](#) were eventually and somewhat enigmatically promoted. A subsequent [coronial inquiry](#) encountered unwarranted resistance from defence personnel who were instructed not to assist or cooperate during the collection of evidence. The navy also attempted to prevent the coroner from visiting the submarine and simulating the events. [5417-5423](#)

Following the [inquest](#) the [coroner](#) returned a finding of [accidental death](#) by drowning. The deaths were caused by a combination of human and procedural failures although there was insufficient substantive evidence for any [criminal charges](#) against the vessel's crew. The victims were beguiled by a blind and misplaced faith in the prevailing protocols, which should have prevented the tragedy. Several of the crew received criticism regarding a range of minor to somewhat serious anomalies but there was no reckless disregard of recognised safety procedures by any senior officers or their subordinates. [5424-5425](#)

The [HMAS Otama](#) was beset with unusual circumstances on that fateful morning. It was carrying 90 people, which was more than its usual complement and it encountered extremely foul weather during the voyage. Crucial roles were allocated to several inexperienced submariners, which placed additional obligations and increasing stress upon the [captain](#). It was quite evident there was noncompliance with many established practices and in accordance with military tradition the captain accepted [responsibility](#) for the tragedy. However, the demeanour and causal theme of the captain's evidence suggested the consequences were more a matter of misfortune than bad management, which was admonished by the coroner. [5426-5428](#)

Despite several mistakes from the victims and substandard performances of [several officers](#), there were also failures attributed to the captain and his immediate subordinates. No system was devised or implemented covering entrance and exit of the vessel's conning tower and an absence of [collective coherence](#) culminated in the drowning of two young sailors. [5429-5430](#)

Almost two decades later in March 2007 a covert defence mission almost ended in disaster when five submariners were washed from the deck of [HMAS Farncomb](#). The incident occurred during a prolonged deployment, which involved surveillance and intelligence gathering throughout international waters. A [rogue wave](#) swept the sailors from the submarine's casing whilst they unravelled and cleared entangled fishing lines from the vessel's propeller. Unanticipated rough seas and deteriorating weather left the casualties stranded. A tragedy was averted when several colleagues volunteered to rescue the marooned sailors under extremely dangerous and life threatening conditions. The [incident](#) remained classified for two years and navy headquarters refused to disclose the vessel's activities or precise location of the incident. However, the rescuers were eventually acknowledged via bravery awards and several others received commendations. [5431-5433](#)

In August 2011 [HMAS Farncomb](#) with a complement of 60 submariners was involved in another [serious incident](#) off Rottnest Island. The vessel grappled with a double engine failure and required a full emergency blow of its ballast tanks as it descended towards the seabed. It eventually regained emergency repulsion, resurfaced and returned to Fremantle. The navy chief described subsequent media reports covering the incident as [sensationalism](#). [5434-5436](#)

This sequence of events involving almost a dozen fatalities occurred over several decades during [unarmed combat](#) and suggests our defence force does not need any enemies. Despite or maybe in spite of a robust authoritarian culture, which is allegedly based on meticulous planning reinforced by rigorous procedural compliance, enforcement and retribution, the performance is rather mediocre at best. The loss of so many young lives has left numerous families and close [colleagues](#) emotionally shattered and any rendition of [William Whiting's navy hymn](#) must sound somewhat shallow to bereaving dependents: [5437-5441](#)

Eternal Father, strong to save, whose arm hath bound the restless wave,

Who bidd'st the mighty ocean deep,

Its own appointed limits keep;

Oh, hear us when we cry to Thee

For those in peril on the sea!

The big ship sails on the alley alley o

On the 27th September 1994 the MS Estonia cruise ferry departed from Tallinn in Estonia carrying almost one thousand passengers and crew on its scheduled overnight voyage to Stockholm in Sweden across the Baltic Sea. Weather conditions were described as normally bad by a seasoned seafarer and there were no cancelled services with scheduled ferries remaining at sea. The seaworthy vessel was in good condition and it departed with a complete crew. It was fully loaded with a slight but insignificant starboard list from cargo disposition. ⁵⁴⁴²⁻⁵⁴⁵³

Almost seven hours into the voyage the vessel was cruising at its normal operating speed amidst typically rough Baltic seas. On the outskirts of the Turku archipelago a heavy wave hit the bow doors and a loud metallic bang reverberated throughout the vessel. A brief visual inspection merely involved checking the red and green indicator lights for ramp and visor locking mechanisms, which identified no significant problems with the structural integrity of the vessel. Passengers and several crew reported hearing similar strange noises over the next ten minutes when the bow's visor suddenly opened and a heavy starboard list emerged. A frail warning in Estonian was broadcast over the public address system followed by the crew's internal coded signal before the general lifeboat alarm was activated during the uncontrolled abandonment of the vessel. ⁵⁴⁵⁴⁻⁵⁴⁶²

The vessel manoeuvred to port, which escalated flooding and the rapidly increasing list prevented many passengers from reaching the boat deck as incoming seawater engulfed cabins. Waves crashed through the ship's massive windows on upper levels and sent water cascading through ceiling panels, which inundated stairwells and corridors. Several Mayday broadcasts failed to align with international maritime distress protocols and the transmission of messages was impeded by several language barriers. This was exacerbated by a power failure that disabled navigational instruments and the vessel was initially unable to determine its precise location. ⁵⁴⁶³⁻⁵⁴⁶⁶

Its manually operated distress beacons were never activated and delayed emergency response and rescue efforts accordingly. Power was eventually restored via an emergency generator, which enabled transmission of its coordinates and precise location to other marine traffic and aircraft. In less than an hour the vessel was inundated by seawater, which caused it to roll almost ninety degrees and cut its four engines and main generator. The vessel suddenly disappeared from radar screens on other ships and sank stern first to a depth of approximately 80 metres in international waters. ⁵⁴⁶⁷⁻⁵⁴⁶⁸

[Preliminary response](#) was impeded by several anomalies regarding the transmission of radio signals between various vessels and onshore agencies. This was exacerbated by irregularities covering acknowledgement and interpretation of Mayday signals and power failure aboard the MS Estonia. The [Finnish Maritime Rescue Coordination Centre](#) at [Turku](#) accepted control of [search and rescue](#) efforts. However, the organisation initially failed to categorise the event as a major incident or broadcast its role and intentions. This involved synchronising the response via its documented plans, which aligned with [internationally recognised conventions](#). ⁵⁴⁶⁹⁻⁵⁴⁷³

Five [passenger ferries](#) operating on various routes across the Baltic Sea provided initial assistance and the captain of [MS Silja Europa](#) was appointed as the on-scene commander for the rescue operation. [MS Mariella](#) was the first vessel to reach the scene almost 50 minutes after receiving the initial [Mayday signal](#). Its crew encountered many distressed victims screaming for assistance from the bitterly cold water amidst the stricken vessel's emergency equipment, which included lifeboats, life rafts and lifejackets. The [MS Silja Europa](#) arrived almost 30 minutes later to coordinate and participate in search and rescue activities followed by the three remaining passenger ferries. Additional assistance was provided via a fleet of [rescue helicopters](#) and the [Finnish coast guard patrol vessel](#). ⁵⁴⁷⁴⁻⁵⁴⁸⁰

Over ten hours after the distress call many more ships joined the search and rescue mission, which included an increasing number of helicopters and [several aircraft](#). [Squally conditions](#) prevented vessels from launching rescue craft and their [man over board boats](#) were painstakingly lowered into the water. The marooned survivors drifting in [lifeboats](#) or [inflatable dinghies](#) were transferred across, raised to safety and afforded first aid. One of the [passenger ferries](#) was able to activate its rescue slide and pulled over a dozen survivors aboard. ⁵⁴⁸¹⁻⁵⁴⁸⁷

The fleet of helicopters initially required [searchlights](#) to locate survivors until daybreak. Despite prevailing conditions the [Finnish coastguard](#) helicopters [retrieved and transferred](#) numerous survivors onto surrounding passenger ferries, which was described as the most precarious activity during the entire operation. It soon emerged alternative arrangements were required and additional support was provided via [Swedish helicopters](#). Survivors were transported to nominated onshore locations, which included the [Utö](#) and [Nauvo](#) islands in the [Turku archipelago](#) and [Hanko](#) on the mainland in southern Finland. After stabilisation and assessment via a [triage nurse](#) the casualties were relocated to [designated hospitals](#) for further treatment. ⁵⁴⁸⁸⁻⁵⁴⁹⁷

Despite the complexity of [helicopter rescue arrangements](#) and its inherent risks, the retrieval of survivors proceeded without any major additional complications although several unnecessary and unanticipated impediments emerged. On a number of flights rescue crews were accompanied by [media representatives and journalists](#). Several Swedish helicopters encountered problems with [defective winching mechanisms](#), which significantly limited the retrieval of survivors during rescue attempts. [5498-5500](#)

The [Utö Island](#) onshore facility was equipped with a permanent refuelling facility for maritime rescue helicopters although its reserves were significantly depleted following an [oil spill exercise](#) the previous evening. During rescue operations it ran out of [aviation fuel](#), which could not be replenished until the following day. The helicopters [refuelled](#) using alternative [designated response centres](#) at Nauvo, Turku or Hanko on the south coast peninsula. These nominated rescue facilities were further afield, which placed additional demand on fuel resources and increased emergency response times accordingly. It also disrupted the planned meal arrangements for many of the rescue helicopter crews. Aviation fuel was eventually [depleted at the Hanko facility](#) although a delivery tanker replenished supplies later in the morning. [5501-5506](#)

After almost nine hours of frantic search and rescue efforts following the initial distress call no additional survivors or bodies were located in the immediate environs of the capsized vessel. The search area was subsequently extended in the direction of the [calculated drift](#) and systematically patrolled until sunset. This involved an increasing number of merchant vessels with assistance from helicopters and reconnaissance aircraft. The MS Silja Europa was the last vessel to leave the scene almost 20 hours later. It was relieved by the [Finnish coastguard vessel](#), which continued patrolling the [search and rescue](#) zone for a further five days. [5507-5509](#)

The majority of [survivors](#) were rescued via the fleet of [Finnish and Swedish helicopters](#), which retrieved 104 people although one victim subsequently died in hospital. [Passenger ferries and other vessels](#) saved another 34 individuals and 94 deceased victims were eventually recovered from the sea. Most of the 757 missing people were trapped aboard the [MS Estonia](#) and went down with the vessel. After locating the wreck, diving teams completed a partial survey of the capsized vessel, which discovered approximately 130 victims. This was confined to inspecting public areas and cabins on its port side and somewhat restricted by poor visibility and swirling debris. A subsequent analysis of paint from the recovered bow visor revealed no traces of any explosive residues. The incident was one of the worst [maritime disasters](#) in the 20th century with the loss of 852 people. [5510-5514](#)

Official investigations were conducted via the [Joint Accident Investigation Commission of Estonia, Finland and Sweden](#). Its subsequent report indicates the initial loud metallic bang that reverberated throughout the vessel occurred when the [locking mechanisms](#) and hinges of the [bow visor](#) failed. Following the impact of several waves the vessel's bow visor jolted and shuddered forward, which allowed water to enter the car deck via its sides through the partially exposed ramp. The vessel continued its journey although its ramp remained insecurely balanced and somewhat unprotected within the flapping visor, which eventually dislodged and pulled the access ramp fully open. ⁵⁵¹⁵⁻⁵⁵¹⁷

Seawater inundated the car deck and the [free surface effect](#) that caused the [MS Herald of Free Enterprise](#) to capsize some seven years earlier, soon rendered the vessel unstable. Its list rapidly deteriorated and within an hour the vessel disappeared from radar screens and sank to the bottom of the Baltic Sea. The report suggests the [MS Estonia](#) was intended to operate in coastal waters and the design and structural integrity of the bow visor and auxiliary mechanisms was inadequate, especially on open seas with regular exposure to large waves and impact induced stress. However, the [German shipbuilders](#) claim the vessel was inadequately maintained and travelling at [excessive speed](#). ⁵⁵¹⁸⁻⁵⁵²²

[Estline](#), the shipping company operating the vessel paid approximately \$200 million for [loss and damages](#) to survivors and dependents via an indemnity fund and went into [receivership](#) at the turn of the millennium. In 1996 the bereaved dependents continued their quest for justice and launched a [class action](#) against the vessel's French certification agency [Bureau Veritas](#) and [Meyer Werft](#) the German shipbuilder. Legal representatives were able to have the case heard in France because the event occurred in international waters and involved several [European Union](#) countries. Moreover, the [French legal framework](#) was perceived as the most modern and socially progressive regarding claims for damages. ⁵⁵²³⁻⁵⁵³⁰

Following typical [delay, deny and die](#) tactics the case was eventually heard over two decades later at a courthouse in the western Parisian suburb of [Nanterre](#). The [claim was rejected](#) because the legal team failed to prove [gross or intentional fault](#) and the plaintiffs were ordered to pay approximately \$175,000 in costs towards the defendants. The case was initially filed in September 1996 and took decades to be heard amidst many legal delays and technicalities. A German lawyer representing the families described the verdict as a big disappointment although it did not come as a surprise considering the appallingly callous treatment meted out to the bereaving litigants over many years.....*The big ship sinks to the bottom of the sea on the last day of September.* ⁵⁵³¹⁻⁵⁵³⁵

Ebony eyes

On the 29th October 2018 [Lion Air Flight 610](#) crashed into the Java Sea near Indonesia killing its 189 passengers and crew. Almost six months later [Ethiopian Airlines Flight 302](#) crashed near the town of [Bishoftu](#) with 157 fatalities. Both flights involved the new generation [Boeing 737 Max 8](#) aircraft, which had its maiden flight in January 2016. It commenced operating commercially the following year after attaining certification via the [Federal Aviation Administration](#). The [Boeing 737](#) series originated in 1967 and established a superior engineering safety record within the United States. However, increasing orders for a similar sized passenger jet built by [French rival Airbus](#) placed immense pressure on its [engineering department](#) to deliver airplanes with a superior design, efficiency and value to customers around the world, even in [developing nations](#). This involved altering aircraft design to increase seating capacity with a subsequent requirement for larger engines, which affected its aerodynamics. It required major [reconfiguration of software](#) that was ineffectively communicated to many unsuspecting pilots. [Executive martinets](#) intimidated demoralised engineers, which eroded their professional integrity and compromised [resilience engineering](#). It culminated in the sudden dismissal of its veteran and socially autistic chief executive officer, [Dennis Muilenburg](#) who, unlike the bereaved families and 346 victims, will be afforded the resplendent luxury of a golden parachute. ⁵⁵³⁶⁻⁵⁵⁴⁷

The [Boeing Company](#), much like [Alcoa](#), exercised its [corporate clout](#) with ruthless importunity via increasingly predatory tactics over many decades. It does not like hearing the word no and engages cohorts of lobbyists across [Capitol Hill in Washington DC](#) to achieve its premeditated ambitions, which are underpinned by the [Friedman doctrine](#) with a deification of profit and power. Over 300 [US Congress](#) members receive [campaign cash](#) from Boeing. Its [Pecksniffian](#) gold toothed serpents inveigle politicians with incessant supplies of [gratuities and perquisites](#) such as complimentary ticket upgrades, fee waivers on rescheduled or cancelled reservations, priority bookings, valet parking and VIP escorts. This systemic corruption supplemented by an institutionalised code of silence awaits [congressional committees](#) at subsequent public hearings into the disasters. The truth will be sacrificed to protect reputations and diffuse accountability into innocuous channels of bureaucracy. It is quite evident that Boeing repeatedly opposed requirements to develop an aircraft for servicing intermediate flight destinations over many years. This was exacerbated by [Federal Aviation Administration](#) officials who merely [rubber stamped](#) subsequent reconfiguration or modification of aircraft design specifications. Meanwhile, under a churlish [US president](#) the three most senior roles within the regulatory agency have remained vacant for several years and.....*You don't need a weatherman to know which way the wind blows.* ⁵⁵⁴⁸⁻⁵⁵⁶⁰

Two crashes in less than six months involving brand new aircraft was not [pilot error](#). Boeing callously sacrificed protection over production via [single sensor software](#), which misinterpreted pitch stability and usurped control of the aircraft from its pilots. The corporate behemoth failed to provide amended flight manuals and [advanced training](#), which left pilots operating in the dark and clutching at straws as the aircraft plummeted from the sky. Moreover, self-regulation inevitably degenerated into [deregulation](#) that enabled Boeing to control the [aircraft certification process](#) on behalf of the [Federal Aviation Administration](#), whose budget was savaged by a [republican congress](#). ⁵⁵⁵⁸⁻⁵⁵⁶⁰

The slippery slope is another race to the bottom and extends right down the food chain to cohorts of [subjugated peons](#) forced by even hungrier [travel agents](#) operating within an intricate network of brutal franchising arrangements to place more [bums on seats](#). It frequently involves hypnotic telemarketing campaigns with offers of lucrative getaway deals with a free set of steak knives.....*but wait there's more*. The business model or [Ponzi scheme](#) is furtively disguised as good debt, which is administered by creative accountants via the [leasing of aircraft](#), purchasing fuel on credit and tax evasion. It was a [disaster](#) waiting to happen and it did, on two separate occasions within six months with the collateral damage of 346 innocent victims that cannot be nonchalantly camouflaged as [pilot error](#). ⁵⁵⁶¹⁻⁵⁵⁷⁴

The aircraft wreckage at the bottom of the [Java Sea](#) or scattered across a small pastoral farm on the outskirts of [Bishoftu](#) is redolent of an arrogant algorithm induced culture of [uncreative destruction](#). The reckless corporate executives and captured regulators merely socialise the loss, which is typically disguised via a prolonged and sanitised public inquiry or anachronistic [coronial inquest](#) with a finding of [accidental death](#) to protect state interests. It leaves many bereaved dependents chasing aviation fuel exhaust fumes and the heart rendering lyrics from a [Phil and Don Everly](#) classic resonate: ⁵⁵⁷⁵⁻⁵⁵⁸¹

*Then I felt a burning break deep inside
And I knew the heavenly ebony skies
Had taken my life's most wonderful prize
My beautiful Ebony Eyes
If I ever get to heaven I'll bet
The first angel I'll recognise
She'll smile at me and I know she will be
My beautiful Ebony Eyes.*

Red river valley

Any research or discussions regarding transport disasters across Australia will inevitably recall the horrific but often forgotten bus crashes that occurred on the northern coast of New South Wales almost thirty years ago. The [Grafton bus crash](#) on the Pacific Highway near [Cowper](#) in the [Clarence valley](#) on 28th October 1989 claimed 21 people and left another 22 passengers injured. Almost two months later in the [Macleay valley](#) two [Denning Landseer](#) tourist coaches were involved in a head on collision at [Clybucca](#), north of [Kempsey](#). The coaches were both travelling at 100 kilometres per hour and the impact snapped many seats from their anchor bolts. It remains the worst road accident in Australia with the deaths of 35 people, which included both drivers and another 41 passengers were injured. [5582-5588](#)

The [Grafton crash](#) occurred a few hours before dawn when a southbound semitrailer carrying a load of tinned fruit careered across the undivided highway into a northbound tourist bus carrying 45 passengers. Its driver's side was ripped open like a can of peaches, which killed many of its sleeping occupants and their remains and belongings were strewn across the highway. The truck driver died instantly and subsequent [blood analysis](#) revealed an extremely high concentration of [ephedrine](#). The use of [stimulants](#) to remain awake was prolific amongst truck drivers, especially on long haul journeys to meet unrealistic demands and [delivery schedules](#). [5589-5593](#)

The [Kempsey crash](#) occurred on 22nd December 1989 and the subsequent coronial inquiry found the driver of the southbound [McCafferty's](#) coach fell asleep at the wheel. The vehicle was approaching a left hand curve on an undivided stretch of the Pacific Highway when it continued straight ahead and collided with a northbound [TransCity Express](#) bus. The McCafferty's coach driver had not dimmed the vehicle's headlights or applied its brakes. Neither of the buses exceeded the speed limited and both coaches were mechanically sound. [5594-5596](#)

The coroner recommended [upgrading the Pacific Highway](#) to dual carriageway between [Hexham and the Queensland border](#) although an [estimated completion date](#) of 2006 was never achieved. Almost three decades later the [Frederickton to Eungai](#) dual carriageway, which bypassed Clybucca was officially opened. Other initiatives have included establishment of the [National Transport Commission](#) with a responsibility for developing, monitoring and maintaining nationally consistent regulatory and operational reforms covering road, rail and intermodal transport. This is supported by the [National Heavy Vehicle Regulator](#), a statutory authority pursuant to the [Heavy Vehicle National Law](#). [5597-5603](#)

More recent research, especially into the Grafton bus smash at Cowper indicates the SunLiner Express coach was [unroadworthy](#). It left Kempsey some two hours earlier with several defects, which included a [broken driver's side headlight](#) and fractured lens cover with malfunctioning night and clearance lights. Deteriorating road conditions with [potholes](#) and crumbling shoulders may have caused the southbound truck driver to [straddle the white centre line](#) to avoid wear and tear from excessive vibration and jolting of the vehicle. [5604-5607](#)

From a distance, the oncoming northbound bus with its [defective lights](#) may have been mistaken for a motorcycle and the truck driver suddenly realised it was a tourist coach. This was evident following examination of the prime mover that was subject to a hard left lock on impact, which is consistent with a truck driver's impulsive reaction to avoid an approaching vehicle. Almost a year later a [SunLiner bus driver](#) recorded a [high range blood alcohol](#) reading on the outskirts of Port Macquarie with 49 passengers aboard the coach. [5608-5610](#)

Several anomalies suggest both bus crashes were not solely attributable to [human error](#), which is more often a consequence than the elusive cause. Indeed, a former [associate engineering professor](#) called for the state coroner to [reopen the inquest](#). Extensive critical analysis of the coroner's report, which was delivered within one month of the disasters, implies that blatant [political interference](#) produced a predetermined outcome. Following a [Booz Allen Hamilton](#) report, [north coast rail services](#) were considered commercially unviable and brutally slashed. This was exacerbated by widespread redundancies throughout country rail operations to recoup a burgeoning \$1 billion annual debt. It left a [much maligned goat track](#) as the only transport link between north coast towns and the consequences soon emerged via the [Cowper](#) and [Clybucca](#) disasters with the horrific deaths of 56 people. [5611-5619](#)

All this occurred under [state premier](#), Nick ([I don't remember](#)) Groaner, another [crepuscular](#) and [fiscally conservative](#) neoliberal acolyte. Some two years before the appalling bus smashes [his partner](#), the daughter of a [Commonwealth Bank executive](#), was acquitted of a mid-range [drink driving charge](#). It followed a [lunchtime o'booze](#) at a business function, which left the [Kirribilli princess](#) feeling rather tired and emotional. The coronial report into Australia's worst [road disasters](#) predictably blamed the drivers although it is curiously unavailable on the [state coroner's website](#) and a book containing a summary of the [investigation](#) is now out of print. Indeed, official investigations into both of the crashes remain as enigmatic as the [White River Timber](#) tax records, which surreptitiously went up in smoke following a frantic Judæan-Hungarian stocktake. [5620-5632](#)

Eve of destruction

Work health and safety [statutory requirements](#) covering [risk management](#) are underpinned by the mantra [identify, assess and control](#) via the [hierarchy of controls](#), which originated from occupational hygiene and embraces the safe place or safer person dichotomy. This places an inordinate emphasis on [higher order controls](#) to eliminate the hazard or reduce the associated risk using engineering techniques. It purposely creates a safe working environment although it assumes a [distinct lack of intelligence](#) amongst others and perpetuates the myth of removing the idiot to reduce [human error](#) via its patronising disposition of unaccountable power. [5633-5640](#)

The [dumbing down](#) process caters towards the lowest common denominator, which eventually [undermines morality](#), removes personal responsibility, destroys critical thinking, rewards mindlessness and extirpates learning. It implies engineering is a neutral discipline that understands every aspect of the human condition and believes people make mistakes via inferior judgement or ability. The engineering discipline is notorious for its [socially autistic attributes](#) and its initiatives often relocate or shift the risk elsewhere, which generates additional challenges such as escalating psychosocial issues. Indeed, the [hierarchy of controls](#) encourages the implementation of [artificial intelligence](#), which is [creatively destructive or destructively creative](#) and [there can be no learning without risk](#). [5641-5647](#)

Creative destruction originates from [Werner Sombart](#) following critical analysis of [capitalism's](#) boom and bust business cycles. The renowned sociologist was influenced by [eastern mysticism](#) and advocated integration of [social sciences](#) into [political economic theory](#). It was somewhat radical and incongruous with the traditional objective paradigm, which embraced [scientism](#) via the [natural sciences](#). Almost three decades later Austrian economist [Joseph Schumpeter](#) concluded capitalism could only be understood as an evolutionary process of continuous innovation and creative destruction. [5648-5655](#)

This was underpinned by extensive research from [Ernest Mandel](#), which expanded on [Nikolai Kondratiev's](#) long wave theory and proposed capitalism grows, decays and degenerates into a crisis until the emergence of an innovative entrepreneurial tide. The Belgian economist was much more utilitarian with a [social conscience](#) and explored methods to relieve the brutal austerity during the famine phase of [boom and bust](#) cycles. This was based on collective humanitarian requirements to counteract individualism and the deification of profit and accumulation of wealth as the ultimate test of human achievement. [5656-5659](#)

[Karl Marx](#) admired the creativity of capitalism but remained extremely sceptical about its many ruinous and self-destructive elements. [Schumpeter's](#) sycophants from the [Austrian School](#) with its heterodoxy of free market economic thought and [methodological individualism](#) were much more carefree and venerated its ingenuity and ability to amass wealth. This was underpinned by a [laissez faire](#) spirit with the casual acceptance of its malevolence as a consequence of doing business, despite the obvious adverse social consequences and exploitation of labour. ⁵⁶⁶⁰⁻⁵⁶⁶⁴

Another [devout acolyte](#) of laissez faire economics is the former Australian [federal government speaker](#) under the leadership of a [fecund mad monk](#) and neoliberal soulmate. This [woman in pursuit of power](#) admired the works of [Friedrich Hayek](#), which included the definitive edition of [The Road to Serfdom](#). Many of the basic economic concepts and multisyllable words must have been quite a challenge, especially after flunking law at Sydney University. Following the next first class sojourn to London, the [bee-hived besom](#) should pay homage to [Robert Tressell](#) at [Walton Park cemetery](#). The author of [The Ragged Trousered Philanthropists](#) died at a young age following complications from tuberculosis and was buried in a pauper's grave near Liverpool. It's only a short [helicopter flight](#) from the [Australian High Commission](#) and may expand her knowledge. This would leave more than enough time for dinner with [George Brandis](#) at [Wiltons](#) on [Jermyn Street](#) or [Simpsons in The Strand](#) and they could even invite [Bernard Collaery](#). ⁵⁶⁶⁵⁻⁵⁶⁸²

The term [creative destruction](#) has been described as the replacement of labour by machinery, which typically involves innovative technology. Social studies often discuss the industrialisation of weaving via [James Hargreaves](#) and the [Spinning Jenny](#) with the emergence of the rebellious [Luddite](#) movement. At the turn of the twentieth century [assembly line production of automobiles](#) made the blacksmith redundant although it created many jobs throughout Detroit in the United States. However, [Fordism](#) supplemented by [behaviourism](#) and [scientific management](#) principles generated many sinister and serious social consequences, which were ominously and often satirically depicted in [Aldous Huxley's](#) dystopian and oracular novel, [Brave New World](#). ⁵⁶⁸³⁻⁵⁶⁹²

More recently the [World Economic Forum](#) in Davos exhibited many extravagant beguiling promotions featuring [artificial intelligence and robotics](#). Reservation or concerns regarding the obvious and somewhat gloomy social repercussions attracted dismissive and rather [vague commentary](#), which included upskilling [the precariat](#) to counteract the burgeoning inequality of a recurrent [Gilded Age](#). ⁵⁶⁹³⁻⁵⁶⁹⁷

Attendees included the former [Lehman Brothers](#) mergers and acquisitions predator, [Stephen Schwarzman](#), who recently donated [US\\$350 million](#) towards the launch of a new artificial intelligence faculty at the [Massachusetts Institute of Technology](#). In 2017, the [Blackstone sociopath](#) splurged US\$20 million on a [70th birthday party](#) and is ensconced in the exosphere of a luxury [multi-roomed penthouse](#) on Manhattan's upper east side at [Lenox Hill](#) near [Trump Tower](#), not that far from [Boris Johnson's](#) birthplace. It is somewhat detached from the drudgery of emptying bedpans at aged care facilities or guarding violent psychopaths in correctional centres on the outskirts of Chicago or Detroit. [5698-5707](#)

The disparity between those with advanced technology skills and a despairing [precariat](#) is rapidly escalating and inevitably degenerates into uncreative destruction. It is evident on the streets of Paris with the confrontation between a neoliberal French state under its [metrosexual president](#) and the populist [gilets jaunes](#) movement. The [pitchforks are coming](#) and [an economy is not a society](#).....[Sous les pavés la plage](#). [5708-5713](#)

[Artificial intelligence](#) has generated considerable interest throughout the entire public and freight transport sectors, especially in [aviation](#) and [supply chain logistics](#) with an enormously beguiling potential to reduce overheads and increase profits. However, according to [Newton](#) every action has an equal and opposite reaction and much like the [Spinning Jenny](#), [Fordism](#) and [Taylorism](#) undesirable consequences are inevitable. [5714-5720](#)

Following its recent airline disasters [Boeing](#) initially [blamed the dead pilots](#) and [persistently denied](#) that its aircraft were unsafe. However, [pilot error](#) was not the cause of the [Boeing 737 Max 8 disasters](#) and its executives eventually succumbed to intense media and political pressure. The Boeing Company was forced to [ground its entire fleet](#) of 737 Max 8 aircraft and investigate the malfunctioning [manoeuvring augmentation characteristics system](#) software. [5721-5727](#)

Almost a decade earlier on 1st June 2009 a similar situation occurred on board [Air France Flight 447](#) en route to Paris from Rio de Janeiro when an [Airbus A330](#) plunged into the Atlantic Ocean killing its 216 passengers, nine flight attendants and three pilots. Much like any other modern aircraft the [A330](#) operated via its automated controls to ensure the plane remained on a programmed route. This was supplemented by sophisticated algorithmic [fly by wire](#) software, which monitored the human machine interface to deliver effortless and inherently safer flights. Following [regulatory authority certification](#) it allowed Airbus to dispense with mandatory requirements for flight engineers aboard its aircraft, which reduced overheads and increased profits. [5728-5732](#)

The pursuit of perfection via [artificial intelligence](#) rendered the Airbus A330 an extremely reliable aircraft with an impeccable safety record although the [paradox of automation](#) and many of [Earl Wiener's](#) laws of aviation and human error were casually disregarded. It can readily resolve routine errors or mistakes but occasionally creates extraordinary chaos. The automation accommodates ineptitude or incompetence via its spontaneous correction of errors or mistakes, which allows substandard attributes to persist almost indefinitely. [5733-5735](#)

It also furtively removes requirements to practice and sustain competence, which progressively erodes any attained knowledge, skills and experience. Moreover, automated systems typically fail under extreme circumstances and often require extraordinary proficiency to address and resolve the situation. Beneath the superficial simplicity of [glass cockpits](#) and the [fly by wire](#) or [manoeuvring augmentation characteristics system](#) software lies a bewildering labyrinth of complexity, which soon emerged aboard [Air France Flight 447](#) with devastating consequences. [5736-5739](#)

Imminent thunder storms north of the equator and subsequent turbulence were typically seasonal as the aircraft approached the [intertropical convergence zone](#). An accumulation of ice crystals blocked several [pitot tubes](#) beneath the aircraft's nose and temporarily disabled the display of air speed data, which was an operating parameter for the aircraft's autopilot and [fly by wire](#) software systems. The young pilot veered left to avoid heavy thunderclouds and a warning alarm activated indicating the autopilot had disengaged. Its fly by wire software operated concurrently and switched the [flight control mode](#) from [normal to alternate law](#), which caused the aircraft to rock gently from left to right. [5740-5744](#)

The plane was cruising steadily at normal speed without any pitching and despite a slight drop in altitude the only significant failure was a malfunctioning [air speed display](#). There was no immediate crisis and the aircraft was operating under the control of its pilots via a [reduced software regime](#). Safety has been described as [a dynamic non-event](#) although it was soon disrupted. Indeed, many misfortunes often emerge from [an inherent inability to sit quietly in a room and do nothing](#), which is termed [absolution](#) and quite often a successful tactic. The two pilots were probably unfamiliar with operating the aircraft under its [alternate law flight control mode](#) and the younger flight officer reacted impulsively. A series of exaggerated movements to correct the gentle rocking and insignificant drop in altitude involved an unwarranted, repeated and often disproportionate operation of the flight control stick. [5744-5750](#)

It was a simple mistake although the aircraft pitched into an unsustainable steep climb, which reduced speed, increased its [angle of attack](#) and activated the altitude warning and shrill stall alarms. The two pilots suddenly realised they had no indication of aircraft speed at an elevated altitude with the plane's [nose pointing upwards](#). There was a straightforward solution, which required lowering the aircraft nose to its [normal pitch](#) and leaving the thrust alone. It would have enabled the aircraft to return to its cruising mode but the young flight officer inexplicably continued hauling on the flight control stick. [5744-5750](#)

Several elementary tenets of [crew or cockpit resource management](#) were ignored and the aircraft pitch continued climbing. The senior pilot should have been monitoring the young flight officer's actions but was preoccupied interpreting and relaying various display screen messages, many of which were irrelevant or superfluous to the predicament. This enabled the younger flight officer to disengage the [thrust lock](#) and it automatically spooled the aircraft engines to full thrust. [5751-5755](#)

The extreme confusion and even some brinkmanship was exacerbated by an incongruous design of the pilot's [dual input side sticks](#). Meanwhile, the aircraft was soaring upwards through thin air and bleeding off speed. It appears the throttles were pulled back and some six seconds later they were advanced, which indicates one pilot opted for [idle and the other for thrust](#). The young flight officer eventually managed to reduce its [pitch](#) and taper the climb and although the aircraft remained in a somewhat precarious predicament, lowering its nose several more degrees would have restored equilibrium and reduced the cacophony of warning signals or alarms. [5756-5758](#)

Amidst the frantic incoherence the senior pilot attempted to summon assistance from the aircraft captain who was in the [rest cabin](#) behind the cockpit. A female replied over the intercom confirming that she was unable to obtain any response. It transpired the captain had [very little sleep](#) before boarding the aircraft and spent the previous evening sightseeing and travelling around Rio de Janeiro with a colleague, an off duty air hostess. [5759-5760](#)

The young flight officer continued at the helm and curiously pulled back on the [control stick](#) again, which merely increased the [angle of attack](#). Incessant buffeting indicated an imminent stall and the entire cockpit shuddered, rendering its flight and navigational instruments almost unreadable. It appears both pilots were in [mode confusion](#) and unaware that under [alternate law its software regime](#) was restricted and would not automatically prevent the aircraft from stalling. The aircraft's inertia enabled it to continue climbing and at [maximum thrust](#) the pilot kept nudging its nose upwards and struggled to hold its wings level. [5761-5765](#)

Blockages from ice crystals in the [pitot tubes](#) eventually cleared and instruments began displaying the [air speed](#) although the readings were irrelevant amidst the mayhem. Furthermore, the data could easily have been extrapolated via its [ground speed](#), which was continuously displayed on the navigational screen. Amidst the intermittent alarms and frantic confusion the pilots were dumbstruck as its inertia dissipated and the aircraft without any [propulsion](#) lost its ability to climb. It reached the apex of a [parabolic](#) arc at almost 36,000 feet before a terrifying rapid descent with two bewildered pilots in the cockpit and an unresponsive or otherwise preoccupied flight captain ensconced in the [rest cabin](#). ⁵⁷⁶⁶⁻⁵⁷⁷¹

The senior pilot took control from a bamboozled young flight officer and immediately pushed the [side stick](#) forward to reduce the pitch in an attempt to recover from the stall. However, the aircraft's unique [dual configuration](#) allowed the flight officer to regain control and pull the yoke back although it activated a dual input warning. The flight captain eventually entered the shuddering cockpit amidst a cacophony of warning alarms and flashing lights. Neither of the pilots offered a [rational or coherent explanation](#) of what was happening and solemnly admitted they had lost control of the aircraft as it dropped below its original [cruising altitude](#). ⁵⁷⁷²⁻⁵⁷⁷⁵

The aircraft was [descending](#) at a frightening rate and in under three minutes it would be deep into tiger territory. Recovering from such a predicament would require the luxury of an extremely [accomplished flight crew](#) and this was not one of them. A renowned designer with Boeing once remarked... *There were no bad pilots, only average pilots having bad days*, which is used as a fundamental principle in [cockpit design](#). This was a somewhat dreadful day at the office and the definition of average certainly required additional qualification as the aircraft arced off course in the dead of night just north of the equator with [Paley's clock](#) ticking. ⁵⁷⁷⁶⁻⁵⁷⁸⁰

The captain was confronted by an [indecipherable situation](#) that would unlikely have been experienced during any [test flights](#) throughout an extensive career. Following a brief period of frantic collective incoherence, the pilots were unsure whether the aircraft was ascending or descending and communication began to wither. The flight instruments, intermittent alarms and symptomatic shuddering suggest the aircraft had stalled although the pilots had lost confidence in most of the readings and data amidst the prevailing chaos. Lowering the aircraft pitch activated [stall alarms](#) and exacerbated the uncertainty, which inadvertently compelled the young flight officer to keep nudging the nose upwards and a traditional aviation maxim resonates..... *The reasons that get you into trouble become the reasons you can't get out of it.* ⁵⁷⁸¹⁻⁵⁷⁸⁴

[Recovery](#) from the stall without sufficient altitude was impossible and amidst the rapid descent the aircraft's [ground proximity warning system](#) activated. The young flight officer suddenly realised they were beyond the point of no return and exclaimed.....*Fuck! We're going to crash! This can't be true. But What's happening?* ⁵⁷⁸⁵⁻⁵⁷⁸⁷

In a little under four minutes following the [high altitude stall](#) the aircraft's [belly or underside](#) hit the ocean, which destroyed the plane and its passengers and crew were killed instantly. Air France announced families or immediate dependents of the victims would receive an [initial sum](#) of almost US\$25,000 to cover loss and damages. The junior flight officer was accompanied by his partner on board the aircraft while their two young sons remained at home in France awaiting their return. ⁵⁷⁸⁸⁻⁵⁷⁹⁰

Immediate [rescue efforts](#) retrieved 50 casualties, which included the flight captain's body from an extensive region surrounding the crash site. However, it was almost two years before the [aircraft was located](#) using [autonomous underwater vehicles](#) and [side scan sonar](#) equipment. A further 104 bodies were recovered from the wreckage along with the [flight data and cockpit voice recorders](#) and after the search was completed [74 victims](#) remained missing. ⁵⁷⁹¹⁻⁵⁷⁹⁶

The French authorities opened criminal and [technical investigations](#) into the disaster and preliminary charges of [manslaughter](#) were filed against [Air France](#) and [Airbus](#). Legal representatives allege the organisations were aware of technical problems regarding air speed monitoring instrumentation on its planes. Moreover, the companies failed to provide [sufficient training](#) for its pilots to resolve or handle the consequences although arraignments against Airbus were recently dropped. ⁵⁷⁹⁷⁻⁵⁸⁰²

A significant and unintentional consequence of designing failsafe aircraft to eliminate [human error](#) is the iterative [paradox of automation](#) treadmill whereby inferior human performance begets automation. This degrades and erodes competency, which generates an increasing requirement for [artificial intelligence](#) or [robotics](#) and substantive evidence is provided by the [Boeing](#) and [Airbus](#) aircraft disasters. ⁵⁸⁰³⁻⁵⁸⁰⁷

Following the [Air France Flight 447](#) tragedy, [pitot tubes](#) were replaced on several models of Airbus aircraft. An independent safety review suggested reforms to [cockpit resource management](#) or [charm school](#) programs and the installation of [angle of attack](#) indicators on instrument panels. Additional requirements included [high altitude stall training](#), flying in [alternate law](#) protocols and many other superficial bureaucratic nostrums that will not significantly reduce the risk of a low probability and high consequence or [black swan](#) event. ⁵⁸⁰⁸⁻⁵⁸¹⁵

Artificial intelligence and robotics will eventually dominate aviation and the removal of pilots from cockpits is inevitable, especially with commercial imperatives to place more bums on seats, reduce overheads and increase profits. Creative destruction will encompass the entire public and commercial transport sector. The disasters should become less prevalent and culpability may transfer to machines instead of dead pilots. However, robots have no social identity and cannot dream, imagine, meditate, create or fornicate and any attribution of learning or blame towards an object is ridiculous. Sociotechnical system errors will always encompass a degree of human input during its lifecycle. Notwithstanding corporate manslaughter legislation, scapegoating will merely transfer towards design or software engineers and their public liability and professional indemnity insurance premiums will escalate and creative destruction will continue relentlessly. ⁵⁸¹⁶⁻⁵⁸²⁴

The power of artificial intelligence has enormous practicality although its potential can be quite sinister. Under surveillance capitalism Google now searches us and the interaction of an impeccably tidy database with a disordered or messy world is far from perfect, just try removing personal details from debt collecting agency archives or LinkedIn profiles. Decision making via algorithms restricts personal development and renders the diagnosis of failure extremely complicated. The problem is exacerbated via default programming, which usurps human expertise rather than complementing the unique specialist skills. Indeed, creative destruction is a harbinger of dystopia and if artificial intelligence has an objective and humanity is the encumbrance it will destroy civilisation without even blinking. ⁵⁸²⁵⁻⁵⁸³⁵

Following transport disasters hatchet faced martinets issue carefully crafted but meaningless media statements without any apologies and will even attend candle lit vigils, especially if the cameras are rolling. Once the commotion settles the corporate sociopaths slither off into the sunset with extraordinary performance bonuses. Bereaving families are thrown some peanuts as compensation for any incurred loss or damage, which is covered by insurance. The coronial inquest merely protects state interests and typically returns a finding of accidental death. It leaves many emotionally shattered dependents chasing smoke and fighting a tyranny of bureaucracy in their quest for truth, accountability and justice: ⁵⁸³⁶⁻⁵⁸⁴⁴

Everybody knows that the dice are loaded,

Everybody rolls with their fingers crossed

Everybody knows the war is over, everybody knows the good guys lost

Everybody knows the fight was fixed, the poor stay poor, the rich get rich

That's how it goes, everybody knows

The discourse of artificial intelligence disguises a [perfectionist](#) ideology and its delusional misrepresentation about learning and faith in machines is merely technique and a denial of human fallibility. This pursuit of perfection is typically reinforced using formulaic or mechanistic business improvement programs including proprietary brands such as [Six Sigma](#) or the [Shingo Model of Operational Excellence](#). These programs merely expand on the [Shewhart](#) or [Deming](#) quality management cycle and integrate the concept of continual improvement or [Kaizen](#) into the clockwork configuration. The relentless quest for immaculate performance and distinction via flawless targets such as [zero harm](#) or no defects generates many counterproductive social consequences. [5845-5851](#)

[Driverless cars](#) initially appeared on public roads back in 2013 and the first reported fatality involving an autonomous vehicle in the United States occurred some three years later. In bright spring sunshine sensors on a [Tesla Model S](#) vehicle malfunctioned and it collided with a truck semi-trailer near Williston in Florida. [Investigations](#) indicate the vehicle was placed in computerised mode for freeway driving and without reducing speed it went under the trailer of the truck, which was [turning left](#) across the highway. The roof was ripped from the autonomous vehicle killing the guiding driver instantly and an embellished [corporate statement](#) from Tesla typically deflected culpability. The technology is not perfect and the vehicle operator was required to remain alert with hands on the steering wheel. [5852-5856](#)

In [March 2018](#) an Uber [autonomous vehicle](#) struck and killed a [jaywalking pedestrian](#) on a dark road near Tempe in Arizona. Preliminary reports suggest the guiding driver was preoccupied with [streaming a television talent show](#) rather than monitoring operation of the vehicle. Following extensive experiments, Uber requires its operators to remain vigilant and react promptly to control driverless cars during atypical or difficult situations, which its autonomous vehicles are unable to recognise or negotiate successfully. Police investigations confirm the incident was [avoidable](#) and the county prosecutor was considering [manslaughter charges](#). [5857-5862](#)

Since 2016, [autonomous vehicles](#) have been involved in five road traffic fatalities globally and numerous other incidents have been reported. A primary goal of the manufacturers is to design a driverless car, which is [demonstrably safer](#) than a manually operated vehicle. This also enables many transport organisations including taxi firms, freight forwarding agents and couriers to reduce overheads and increase profits. [5863-5864](#)

It opens a [Pandora's Box](#) regarding liability and compensation, especially following deaths, injuries or damage. Indeed, by definition there is no such thing as [zero risk](#) and [better technology](#) can never attain perfection. In a [perfect world](#) society typically expects there should be no crashes on our roads or industrial injuries. However, when events turn pear shaped an insatiable quest for culpability or liability emerges via [scapegoating](#). The ensuing lawyer's picnic delivers a retrospective judgement of convenience, condign punishment and the [fallacy of closure](#) for bereaved dependents. ⁵⁸⁶⁵⁻⁵⁸⁷⁰

This [perfectionist ideology](#) has many adverse consequences and allocation of culpability to the operator of an [autonomous vehicle](#) or apportioning blame to engineers or software programmers is [deeply flawed](#). It even implies that designers or manufacturers of any modern vehicle are negligent because it failed to stop instantly when its brakes were applied. Maybe driverless cars will expose the futility of liability and a concept of blameless accidents will emerge with genuine [no fault](#) compensation..... *There is crack in everything that's how the light gets in.* ⁵⁸⁷¹⁻⁵⁸⁷⁵

However, in the current [free market](#) neoliberal climate [uncreative destruction](#) will ensure the emergence of [autonomous vehicles](#) on public roads proceeds apace. This will be accelerated by substantial reductions in labour costs and other overheads with burgeoning profit margins. Preliminary vehicles will be semi-autonomous using [indentured servants](#) or [peons](#) with limited driving experience until the technology improves. Meanwhile any dead motorists or pedestrians will become a cost of doing business and categorised as collateral damage. ⁵⁸⁷⁶⁻⁵⁸⁸⁰

This extends to [freight transport](#) and within two years driverless trucks with a computer at the wheel will be rolling unaccompanied along [US interstate highways](#). The [Trump administration](#) has announced its intention via the [US Department of Transportation](#), which proclaims it will no longer assume a commercial truck is driven by a human being. It will amend legal definitions accordingly and the term automated system will encompass truck drivers or operators. Since 2017 [hauliers](#) such as [Embark](#) and [TuSimple](#) have made regular semi-autonomous freight deliveries along [Interstate 10](#) between [El Paso in Texas](#) and [Palm Springs in California](#). A computer accompanied by a support driver takes control of the trucks on the freeway. Several freight companies have successfully experimented with platooning, which involves a principal driver leading a convoy of computer controlled trucks. It reduces drag and [saves fuel](#) with an enormous potential to slash the cost of long haul freight and increase profits. In October 2019 Australia's National Transport Commission [announced](#) an extensive review of [National Heavy Vehicle Law](#), which will support the use of new technologies and methods of operation. ⁵⁸⁸¹⁻⁵⁸⁹¹

The [artificial intelligence](#) revolution is not restricted to roads and highways and [dedicated short range communications](#) technology will ensure [impaired captains](#) or [sailors](#) remain ashore whilst sleek [autonomous vessels](#) navigate the high seas. It promises increasing efficiency using less people and will eventually encompass naval fleets, ferries, tugboats and cargo ships. Retrofitting an existing vessel with the software costs approximately \$US100,000, which could significantly reduce maritime safety risks and operational expenses. A fully [autonomous](#) electrically operated container vessel is currently under construction in Norway at an estimated cost of [US\\$25 million](#) and launching of the ship is scheduled imminently. [5892-5899](#)

[Driverless trains](#) are much [less complex](#) because the locomotive can only operate in forward or reverse modes on an up or down track and its route is restricted to a designated rail network. Despite the technology the risks can never be eliminated. Additional concerns on intercity and country regional rail routes include [animal encroachment](#), unanticipated [weather conditions](#) and interaction with vehicles at [level crossings](#). [5900-5904](#)

Automated [train systems](#) operate in most major metropolitan cities throughout the developed world and the recent failure of neoliberal ideology has witnessed a temporary [resurgence of Keynesian economics](#) in Australia. Several state governments borrowed money at extraordinary low interest rates for the development of [major infrastructure projects](#). This includes the recently opened [Sydney Metro](#) fully automated rapid transit system. It places immense political and economic pressure on [principal contractors](#) to ensure projects are delivered on schedule, under budget and [without any defects](#).

In June 2019 the driverless [Yokohama Seaside Liner](#) in Japan travelled approximately 25 metres in the [wrong direction](#) and collided with buffers at the [Shin-Sugita railway station](#) injuring 14 passengers. Back in 1993 the autonomous [Osaka New Tram](#) malfunctioned and struck buffers at [Suminoe Park](#) station causing injuries to approximately 200 commuters. [5905-5915](#)

In 2006 a rapid driverless [magnetic elevation train](#) ploughed into a maintenance truck near the town of Lathen on Germany's north western border with the Netherlands. [The train](#) was travelling at almost 200 kilometres per hour when it hit the stationary vehicle. It burst into flames and several carriages plunged off the elevated track [killing 23 passengers](#). A further ten casualties sustained serious injuries and preliminary reports suggest [human error](#) was a significant contributory factor with a breakdown in communications. [5916-5919](#)

In July 2018 [Rio Tinto's US\\$ 940 million AutoHaul autonomous train](#) project was granted accreditation via [Australia's national rail safety regulator](#). The driverless train completed its first delivery of approximately 28,000 tonnes of iron ore on a 280 kilometre journey between the [Mount Tom Price mine site](#) and [Cape Lambert](#) in the Pilbara region of Western Australia. The entire trip was remotely monitored by control room operators at the [Rio Tinto operations centre](#) in Perth almost 1,500 kilometres away. [5920-5925](#)

Several months later in the Pilbara, a [BHP engine driver](#) disembarked from a locomotive cab to conduct inspections when the train suddenly bolted. Its four locomotives and 268 wagons fully loaded with iron ore thundered along the track for almost 100 kilometres without the driver. The [BHP operations centre](#) in Perth remotely derailed the runaway train about 120 kilometres from [Port Headland](#) by switching track points. Nobody was killed or injured although the [train was destroyed](#) and there was extensive damage to rail infrastructure. [5926-5929](#)

In the Netherlands during the 1980s a [Dutch traffic engineer](#) reviewed [town planning and road vehicle arrangements](#) in the village of [Oudehaske](#) following the deaths of two young children in motor vehicle accidents. It was quite evident vehicles were travelling too fast, which was verified using a radar gun and the conventional nostrums, which included traffic lights, speed humps and a patronising redundancy of warning signs were ineffective. The [maverick engineer](#) adopted a radical [shared space](#) approach, which deliberately enhanced confusion and ambiguity rather than traditional rigid segregation, clarity and conformity. The black asphalt was replaced with red brick paving and guttering was raised and gently curved to align with the sidewalk. Distinguishing between road and [pedestrian areas](#) became a challenging exercise, which required and captured attention. This prevented drivers from operating on autopilot and subliminally engaged motorists to recognise the risk and avoid or reduce the consequences. [5930-5935](#)

At another notorious junction in the town of [Drachten](#), traffic lights and signposts were removed and a square was installed with fountains and gardens. The blackspot took on the appearance of a pedestrianised shopping mall and the [shared space](#) allowed integration of motorists, cyclists and pedestrians. Without traffic lights to protect people it looked chaotic and dangerous although it was an extremely [successful initiative](#). Vehicle movements increased and congestion decreased because road users stopped treating each other as threats or obstacles. The [disorder](#) engaged people to concentrate via an induced mess of ambiguity and complexity, which reduced the risk accordingly. [5936-5939](#)

The relentless [pursuit of perfection](#) using systematic and formulaic techniques extends way beyond industrial and commercial sectors. It is systemic throughout the arts and sport and has even infiltrated classical music. [George Orwell](#) once described professional sport as war without the shooting. It is compounded by unrestrained [franchising](#) with widespread hatred, [jealousy](#), [bigotry](#), bravado and [cheating](#), which includes extensive drug abuse via [performance enhancing](#) substances. ⁵⁹⁴⁰⁻⁵⁹⁴⁶

During most major sporting events, avaricious [corporate sponsors](#) broadcast a relentless display of seductive advertisements, which provides sufficient substantive evidence of an unpleasant and sinister subculture. The promotion of [cigarettes](#) and [alcohol](#) has since been banned and intermissions are now littered with [fast food](#), [soft drink](#), [gambling](#) and rugged [macho motor vehicle](#) commercials to inveigle the lumpenproletariat. Virtual iconic billboards offer an extensive range of beguiling [flat screen televisions](#), [whitegoods](#) and [financial services](#), which are supplemented by promotions for high interest [credit cards](#) and enticing [buy now pay later](#) hire purchase scams. ⁵⁹⁴⁷⁻⁵⁹⁵⁶

More recent and important developments in contemporary classical music throughout the world often feature Venezuela's [Simon Bolivar Youth Orchestra](#). The high intensity program under its founding leader [Jose Antonio Abreu](#) allegedly turned street urchins from the favelas into virtuoso musicians. A series of worldwide concerts at capacity filled venues such as [Carnegie Hall](#) in Manhattan or the [Royal Festival Hall](#) in London left eclectic audiences spellbound. However, beneath the alabaster exterior of perfection was a sinister crypt of rotting flesh....*[Would people in the cheaper seats clap your hands and the rest of you can just rattle your jewellery.](#)* ⁵⁹⁵⁷⁻⁵⁹⁶¹

An extensively researched [academic study](#) reveals [El Sistema](#) subjected children to a brutal indoctrinating regime, which included child sex abuse and was more akin to state sponsored conditioning or waterboarding than benevolence. Overseas the program was depicted as a beacon of social justice but domestically it was described as a predacious malevolent sect or corporation. It was excoriated for the opacity of its financial affairs and a lack of rigorous evaluation to quantify its claims of a miraculous [social transformation](#). [The founder](#) was an intimidating tyrant, [philanthropic ogre](#) and political sycophant. Moreover, the violation and defilement of vulnerable adolescents was merely an extension of psychological, physical and emotional domination. Further [revelations](#) and [subsequent investigations](#) in the United Kingdom extended to several other exclusive establishments, which included [Chetham's School of Music](#) in Manchester and the [Guildhall School of Music and Drama](#) in London. ⁵⁹⁶²⁻⁵⁹⁶⁸

Neoliberal acolytes such as [Stephen Schwarzman](#) imply artificial intelligence or robotics will generate a much needed recovery in capitalism's [economic business cycle](#) and jobs will flow unlike the cascading wealth in [trickle-down economics](#). However, substantive evidence including record [public](#) and [private debt](#), miserable [retail performances](#) and escalating [inequality](#) suggests otherwise. ⁵⁹⁶⁹⁻⁵⁹⁷⁶

Most prominent advocates of the [dismal science](#) are merely clutching at straws in uncharted waters and it is much easier to envisage an alternative or ultimate form of creative destruction. Indeed it is somewhat coincidental that [Werner Sombart](#) initially coined the term in a book ominously entitled [War and Capitalism](#), just before the First World War. This was described as [the war to end all wars](#) and much of the horror was repeatedly and chillingly depicted in [the poems](#) of [Wilfred Owen](#).....*It is sweet and proper to die for one's country*: ⁵⁹⁷⁷⁻⁵⁹⁸³

If in some smothering dreams, you too could pace

Behind the wagon that we flung him in,

And watch the white eyes writhing in his face,

His hanging face, like a devil's sick of sin;

If you could hear, at every jolt, the blood

Come gargling from the froth-corrupted lungs,

Obscene as cancer, bitter as the cud

Of vile, incurable sores on innocent tongues, -

My friend, you would not tell with such high zest

To children ardent for some desperate glory,

The old Lie: Dulce et decorum est

Pro patria mori.

[Joseph Schumpeter](#) rekindled the concept following the start of the Second World War via the book [Capitalism, Socialism and Democracy](#). It is unlikely the ensuing events were envisaged as the definitive form of creative destruction although history records what happened and indicates otherwise. Indeed, the prolonged conflict generated a whole new wave of technology, which included aluminium, radar and nuclear energy.....*If we can find the money to kill people surely it is much more honourable and easier to locate resources for helping individuals*. ⁵⁹⁸⁴⁻⁵⁹⁸⁵

Obsolete modes of production were obliterated by the [bombing of Dresden](#) under [Butcher Harris](#) and [Operation Meetinghouse](#) over Tokyo. The devastating firestorms were quickly followed by the nuclear holocaust delivered from [Enola Gay](#) over [Hiroshima](#) and [Bockscar](#) upon [Nagasaki](#). It enabled capitalism to rebuild a demoralised and flattened country, which provided quality management guru [W. Edwards Deming](#) with a blank canvas at the [Tokyo Hakone Convention Centre](#) some five years later. Its [manufacturing industry](#) was revolutionised although the words from [Jean Paul Sartre](#) resonate... *When the rich wage war, it's the poor who die.* ⁵⁹⁸⁶⁻⁵⁹⁹⁷

The intimidation, bullying and terrorism continues relentlessly and was quite evident via the US militarisation of the tiny island of [Diego Garcia](#) in the [Chagos Archipelago](#). Its indigenous [Ilois people](#) were removed and dumped in the slums of [Port Louis](#) on [Mauritius](#) in middle of the Indian Ocean. Any resistance or humanitarian aid received a stern rebuke from the former [US Secretary of State Alexander Haig](#) via the threat of creative destruction..... *You just give me the word and I'll turn that fucking little island into a parking lot.* The socially autistic martinet was eventually replaced by [George Shultz](#) during [Ronald Reagan's](#) administration. ⁵⁹⁹⁸⁻⁶⁰⁰⁶

After leaving government office in 1974 under [Richard Nixon's](#) tenure [George Shultz](#) became president and director with the [Bechtel Group](#), a marauding engineering, procurement and construction predator. During his leadership, the corporate guerrilla secured several lucrative oil and gas projects throughout Saudi Arabia. Another notorious neoliberal sociopath was [Dick Cheney](#), the former [US Secretary of Defense](#) under [George H. W. Bush](#). After the election of President [Bill Clinton](#), the ruthless brigand joined the [American Enterprise Institute](#), a public policy think tank on [Massachusetts Avenue](#) in Washington DC. This was followed by a somewhat controversial tenure as chairman and chief executive officer with [Halliburton](#), which was mired with [numerous allegations](#) of corporate malfeasance. ⁶⁰⁰⁷⁻⁶⁰¹⁷

It is extremely regrettable when socially autistic [mercenaries](#) dominate much of the world via an incessant worship of power and [deification of profit](#). Meanwhile, cohorts of obsequious politicians take their miserable fee and disguise the turpitude as development or progress of mankind with a complete and utter disregard for the abject misery it inflicts upon a hapless [precariat](#). It is time for governments to respond and slam the door or [lock the gate](#) on these antagonistic insurgents. This brutal and savagely inhumane doctrine has infiltrated every industrial and commercial sector and its ganglions are even evident although often cunningly disguised throughout many [not for profit](#) ventures. ⁶⁰¹⁸⁻⁶⁰²²

Meanwhile, the [lumpenproletariat](#) is indoctrinated with sport, infotainment, celebrity worship and social media or doped with [religion](#). The laity is controlled by debt via a readily available stream of credit, which resembles warfarin therapy and many remain blissfully ignorant that a mere handful of [plundering plutocrats](#) govern the entire planet. It is much more noble to be impoverished with your land and dignity intact than reduced to [indentured servitude](#) or [peonage](#) within your own country and incalculably better to.....*Die on your feet than live on your knees.* ⁶⁰²³⁻⁶⁰²⁹

Yeah, my blood's so mad, feels like coagulin', I'm sittin' here, just contemplatin',

I can't twist the truth, it knows no regulation, handful of senators don't pass legislation,

And marches alone can't bring integration, when human respect is disintegratin',

This whole crazy world is just too frustratin' and you tell me over and over and over again my friend,

Ah, you don't believe we're on the eve of destruction

No last rights

In countries under a British colonial influence most major [transport](#) or [industrial disasters](#) are typically followed by a [coronial inquest](#) at a [coroner's court](#), which can be a pretty sombre and daunting place for the laity. Its [officer of the crown](#) is appointed to protect state or more recently [corporate interests](#) and not to establish [liability](#). This [anachronistic institution](#) deals in many unexplained or sudden deaths, which are categorised via callous and often enigmatic findings such as [unlawful killing](#), [accidental death](#) or [suicide](#) using a [retrospective judgement of convenience](#). In Australia every state has a [coroner's court](#) and rather fortunately, very few people are seldom required to attend the proceedings. Indeed, not too many deaths are processed through the local coroner's office and even less require a [full inquest](#). ⁶⁰³⁰⁻⁶⁰⁴³

[Coronial inquests](#) are typically held once [criminal and civil liability](#) avenues have been exhausted and a full session is redolent of many [television courtroom dramas](#). Proceedings are conducted by the [coroner](#) from an elevated stage with a reverential acknowledgement of ascribed status. The gallery consists of the usual suspects, which include lawyers, police officers, ushers, clerks, witnesses and jurors accompanied by the [fourth estate](#) and the general public. The [intimidating theatre](#) looks, stinks and feels like any other courtroom although the chimera is often misleading. It can be an extremely daunting and painful place, where callow people traumatised by sudden bereavement suffer the story of death in a vacuum of unaccountability. ⁶⁰⁴⁴⁻⁶⁰⁴⁹

Exclusive and inordinately expensive barristers clash over evidence taken under oath with rigorous although often unforgiving [cross examination](#) of defensive or terrified witnesses. The theatrics occasionally meander with an attempt to establish who, whether it be individually, collectively or corporately, was or was not responsible for causing death. However, in a [coroner's court](#) the primary objective is to establish the [medical cause of death](#) using [pathological evidence](#) with due consideration of the circumstances. An appropriate finding or verdict is delivered from prescribed categories and should not indicate or apportion [any liability](#), which is usually resolved via adversarial legal courts. [6050-6054](#)

Following establishment of the medical cause of death and a prescribed finding, the body is released for burial or cremation. The [intimidating void](#) is charged with blame and guilt although nobody is on trial. There is no prosecution, defence or concerns about accountability and many seasoned barristers believe cross examining at coronial inquests is akin to working with both hands tied behind their back. It is a [hopeful but often hopeless](#) counsel of perfection. [6055-6056](#)

It is not always so [straightforward](#), especially following major [transport](#) or [industrial disasters](#), when many executive careers, substantial assets and powerful reputations are at stake. The process often becomes embroiled in political controversy, chicanery and even deception. [Regulatory authorities](#) will only prosecute in accordance with [defined protocols](#) with a reasonable expectation of achieving a conviction. If criminal cases prove unsuccessful many of the emotionally shattered and distressed dependents never have the wherewithal, let alone the inclination to pursue [civil action](#). The [coronial inquest](#) remains the only forum in which the circumstances of death will be addressed and merely affords an epigrammatic and restricted opportunity to hear and test evidence. [6057-6063](#)

Despite a doctrine covering an alleged [separation of powers](#), the [coronial inquest](#) remains an [antediluvian](#) and often preordained formulaic ritual orchestrated by a politically appointed panjandrum. Witnesses and other interested parties are designated solely by [the coroner](#) and typically include the bereaved and any directly involved individual or agencies, who are forbidden to call on others to corroborate or challenge testimonies. After witnesses are sworn in their evidence is scrutinised by [the coroner](#) using previously gathered and sometimes [embellished statements](#) and then cross examined by legal representatives on behalf of the interested parties. The general [conduct of proceedings](#) is entirely under the coroner's discretion. No [incriminating questions](#) are allowed and the coroner alone determines the extent or relevance of cross examination tactics. After hearing evidence only the coroner provides jurors with a summary and lawyers are prohibited from making speeches or remonstrations and cannot address the jury or offer any summation on behalf of their clients. [6064-6071](#)

The [coroner's summary](#) typically reflects a judgemental opinion based on personal interpretation of events. It cannot be neutral, especially amidst a brume of [regulatory capture](#) and particularly if the state government is paying his mortgage and children's school fees. It does not require any sophisticated analysis or critical thinking to identify a coronial flavoured or favoured [version of the truth](#). It often directs jurors towards a [prescribed finding](#) based on the evidence and its [burden of proof](#) using legal submissions from lawyers made in the jury's absence. Although [the coroner](#) emphasises the distinction, jurors often find it quite difficult to distinguish between the summary and a legal direction. Uninitiated juries may easily confuse a [coroner's](#) interpretation of facts with legal direction based on points of law and the certainty of direction becomes a straitjacket for reviewing complex and contrasting versions of events. [6072-6078](#)

The common law concept of [negligence](#) and [duty of care](#) has been the subject of much debate over many years and featured prominently in the landmark [Paisley snail](#) product liability case (*Donoghue v Stevenson* [1932] [UKHL 100](#)). However, at a coronial inquest there is no finding of negligence, which is exacerbated by an enormous chasm between [unlawful killing](#) and [accidental death](#) verdicts. The legal test for [unlawful killing](#) is equivalent to [manslaughter](#) and the coroner directs jurors that they must be satisfied [beyond reasonable doubt](#). [6079-6088](#)

Moreover, the act is not culpable unless the [mind is guilty](#) and many complex cases with a high degree of negligence are conveniently categorised as accidental death. If there is [no such a thing as an accident](#) maybe [accidental death](#) should be removed from the coroner's prescribed categories. [Investigation of deaths](#) within the coroner's jurisdiction requires assistance from coroners' officers, who are often seconded or provided via the local police service. The coroner also establishes close relationships with [pathologists](#) and inquests often only hear medical or other expert evidence, which aligns with the coroner's preordained agenda. [6089-6093](#)

Following unsuccessful [criminal or civil proceedings](#) the bereaved are often left abandoned and a [coronial inquest](#) is their last resort. It inspires a humble morality that it is a personal inquest into the death of their loved ones. The aggrieved are typically addressed via deferential language and the numerous ushers and clerks function like an unction of undertakers. Initial comments are empathetically structured to emphasise that proceedings will merely establish [who died and when, where and how](#) the circumstances unfolded. The first three criteria are relatively straightforward although determining how is often fraught with complexity, especially in controversial cases where political careers, substantial assets and personal reputations are at stake. [6094-6096](#)

Beneath the alabaster of humble inquiry, sympathy and sensitive acknowledgements lurks a denial of the agenda concerning how the circumstances of death can be established without apportioning blame or liability. It does not require much intelligence or discernment to appreciate the incongruity, which casts a spectre over [the entire charade](#). This anachronistic and dishonest forum is merely an [adversarial wolf in inquisitorial sheep's clothing](#), which can be superficially beckoning although it is usually disappointing and provocatively painful. Nevertheless, it is often the only remaining opportunity for resolving and revealing the circumstances of death. It typically [kicks the laity in the guts](#), especially when they are most [vulnerable](#) and yet another door gets slammed in their face. [6097-6100](#)

Following [coronial inquests or public inquiries](#) pertinent comments with additional evidence regarding the calumny of [regulatory](#) or [policy capture](#) or unhealthy relationships between the coroner and the police service are often dismissed as crackpot conspiracy theories. [Regulatory or policy capture](#) is easy to identify but almost impossible to prove without a precise definition of [public interest](#) and complainants typically encounter a tyranny of bureaucracy. Despite allegedly [independent investigations](#) into fair and accountable public administration via an [ombudsman](#), the outcome is often a forgone conclusion, which is embellished via a carefully polished, disinfected and decontaminated report. It predictably sacrifices the truth and accountability to secure assets and protect reputations and [Macbeth's](#) infamous soliloquy resonates: [6101-6109](#)

Tomorrow, and tomorrow, and tomorrow,
Creeps in this petty pace from day to day,
To the last syllable of recorded time;
And all our yesterdays have lighted fools
The way to dusty death,
Out, out, brief candle!
Life's but a walking shadow, a poor player,
That struts and frets his hour upon the stage,
And then is heard no more. It is a tale
Told by an idiot, full of sound and fury,
Signifying nothing

The [Queensland parliamentary inquiry into black lung](#) raised serious concerns about [revolving doors](#) or golden escalators. This involved senior regulatory authority inspectors in the resources and mining sector suddenly jumping ship and unexpectedly assuming statutory roles with major coal mining conglomerates. The [subsequent report](#) recommended establishment of a truly independent statutory body with structural legislative arrangements to prevent defecting or poaching. Following a recent [spate of fatalities](#) across Queensland's mining sector, [Minister Lynham](#) who agreed to the parliamentary inquiry recommendations in principle, ordered a [safety reset](#). However, it transpires the [chief inspector of mines](#) recently resigned and accepted a senior role with [Anglo American Coal](#). ⁶¹¹⁰⁻⁶¹¹⁷

Many global behemoths such as [Rio Tinto](#), [BHP](#), [Facebook](#), [Apple](#), [Amazon](#) and [Google](#) no longer have to [lobby governments](#) because they run the government and are definitely not [moral agents](#). A corporation [cannot be ethical](#) if its only responsibility is to [make a profit](#) and the merger of corporate and state interests has extirpated democracy to the extent that there is no longer any left or right. It is now top versus bottom and [government of the people, by the people and for the people](#) has degenerated into government against the people. There is nothing in the middle of the road except a yellow streak and roadkill and [a nation gets the government it deserves](#). Australia's federal and state parliaments do not require a third political party but desperately need a second one because appalling opposition begets bad government. ⁶¹¹⁸⁻⁶¹²⁹

A similar inexcusable situation prevails in the United Kingdom and the coronial inquest and egregious performance of [the coroner](#) after the Hillsborough disaster offers ample [substantive evidence](#). Following the original inquest, which returned findings of accidental death, a bereaved and somewhat despondent father remained alone in the intimidating courtroom and his observations and comments were quite extraordinary.....*At the end of Dr Popper's Inquest I witnessed something that proved my opinion that Dr Popper was too close to the police. After the verdicts were delivered everyone left the courtroom but I stayed behind for a little while. As I left the Council Chamber I saw Dr Popper's office. The door was open and I could see police officers inside laughing. I then saw two further police officers emerge either from a lift or stairs. They were carrying crates of wine and beer and they took it into the office. They were having a celebration. Dr Popper was in there with the police. An officer saw me and slammed the door in my face.* ⁶¹³⁰⁻⁶¹³²

This was the same deceptive and inhumane coroner who ordered the sampling, analysis and publication of [blood alcohol results](#) of the deceased victims, even though many of the dead were only children or pubescent teenagers. ⁶¹³³

Following disasters and [subsequent inquires](#) the bereaved dependents and survivors endure the deep pain and persistent distress with an admirable resolve and noble dignity. [Beyond harm](#) there is never any closure and an obstinate [torment of injustice](#) prevails underpinned by coldblooded and bureaucratic [delay, deny and die](#) tactics. The suffering can only be imagined by those not directly aggrieved by the tragedy, which is often compounded by derisory compensation payments, [flawed coronial procedures](#), enigmatic [inquest findings and unaccountability](#). If almost one hundred police officers had died at Hillsborough justice would have been swift and decisive. After three decades the [Hillsborough disaster](#) accidental death verdicts were eventually quashed and subsequently categorised as unlawful killing. A criminal investigation costing almost £65 million resulted in [gross negligence manslaughter](#) charges against the match commander and following a [retrial](#) the jury returned a majority not guilty verdict. It raises serious questions regarding entrenched antediluvian structural arrangements and the [paucity of law](#), especially the many deficiencies in its administration. The bereaved and survivors often discover to their immense financial and personal cost that the [theatre of law](#) has very little to do with the discovery of truth or realisation of justice and a similar prolonged [saga of subterfuge](#) following the [Grenfell Tower](#) tragedy awaits many tormented families. In Australia inquiries into [Granville](#), [HMAS Westralia](#), the [Cowper and Clybucca](#) bus crashes, the [Luna Park](#) funfair tragedy and [Dreamworld](#) have merely slammed the door in the faces of grieving families. Many pertinent questions remain unresolved and the bereaved are left chasing smoke with answers [blowing in the wind](#) like the symbolic plastic windmills from a [Reject Shop](#) fluttering on a suburban cemetery grave or [roadside traffic accident memorial](#): ⁶¹³⁴⁻⁶¹⁴⁷

How many roads must a man walk down, before you call him a man?

How many seas must a white dove sail, before she sleeps in the sand?

Yes, 'n' how many times must the cannon balls fly, before they're forever banned?

The answer, my friend, is blowin' in the wind, the answer is blowin' in the wind

Yes, 'n' how many years can a mountain exist, before it's washed to the sea?

Yes, 'n' how many years can some people exist, before they're allowed to be free?

Yes, 'n' how many times can a man turn his head and pretend that he just doesn't see?

The answer, my friend, is blowin' in the wind, the answer is blowin' in the wind

Yes, 'n' how many times must a man look up, before he can see the sky?

Yes, 'n' how many ears must one man have, before he can hear people cry?

Yes, 'n' how many deaths will it take till he knows, that too many people have died?

The answer, my friend, is blowin' in the wind, the answer is blowin' in the wind

Epilogue - A patronising disposition of unaccountable power

Is it better for a man to have chosen evil than to have good imposed upon him?

Anthony Burgess ⁶¹⁴⁸

In November 2017, the former executive director of [SafeWork SA](#), [Marie Boland](#) was appointed by [Safe Work Australia](#) to review [model work health and safety laws](#). The sanitised [report](#) concluded [model legislation](#) was operating largely as intended and support for harmonisation remained strong. It was quite an extraordinary statement given the [primary object](#) required a balanced and nationally consistent framework to secure the health and safety of people at work. After almost two decades, the chimera has merely absolved duty of care on behalf of corporate behemoths and national uniformity resembles a dog's breakfast. It has become increasingly complicated and vexatious with several jurisdictions embarking on a [race to the bottom](#) using additional [statutes](#) for [mining and resources sectors](#) and [electrical safety](#). These are often administered by alternative [agencies](#), which generates [conflict of interest](#) and increases [regulatory](#) or [policy](#) capture risks. It is exacerbated by a minefield of [industrial manslaughter legislation](#) and obfuscation over the burden of proof covering [negligence](#) and [recklessness](#). Indeed, the act is not culpable unless the mind is guilty and it presents significant challenges with deaths from latent industrial diseases and psychosocial issues, especially amongst a labyrinth of [smaller enterprises](#) in a gig economy profoundly reliant on contingent labour. Meanwhile, [International Labour Organization Convention C176 Safety and Health in Mines](#) remains unratified by the [Australian Government](#). ⁶¹⁴⁹⁻⁶¹⁶⁷

In Queensland there are currently over [120 confirmed cases](#) of mine dust lung diseases and a recent state [parliamentary inquiry](#) revealed a catastrophic breakdown of a [regulatory system](#) that was intended to secure and protect the health and safety of coal miners. It is somewhat enigmatic but the disease uncannily disappears amongst New South Wales coal miners although absence of evidence is not [evidence of absence](#). Recent [reports](#) confirm a [Queensland stonemason](#) succumbed to [silicosis](#) and over [250 tradesmen](#) across Australia are diagnosed with the disease. Many are categorised as terminally ill and an additional 1000 individuals have received [diagnostic medical examinations](#) and assessments costing approximately \$1.5 million. Some patients will require lung transplants and it places an enormous strain on a struggling public health system. A [senior physician](#) has predicted the problem will escalate and the crisis could become much worse than asbestos related diseases. The response from the New South Wales [resources regulator](#) was reminiscent of the [ban the burka](#) movement and typically blamed the victim via a silica symposium using another pejorative slogan....*Unmasking those who don't work safe*. ⁶¹⁶⁸⁻⁶¹⁷⁵

Any estimation of expenditure covering workplace injuries and diseases requires consideration of an extensive range of direct and indirect parameters and it is quite a complex exercise. However, since 1993 the [allocation of costs](#) endured by incapacitated employees has increased by a staggering 157% with a corresponding decrease of 88% for employers. It suggests other exogenous risks such as the [gig economy](#) and [contingent labour hire](#) with the exploitation and vassalage of [vulnerable workers](#) may be significant contributory factors. After almost five decades it appears the legislation may even be irrelevant and the current structure can hardly be described as operating as intended unless it inadvertently advocates [androcide](#) or [democide](#). Indeed, it is underpinned by the [precautionary principle](#) or [Vorsorgeprinzip](#), a German sociolegal term that reflects the [Hippocratic Oath](#) and [medical profession maxim](#).....*First, do no harm.* ⁶¹⁷⁶⁻⁶¹⁸⁴

Substantive evidence over the past two decades confirms Australia's occupational health and safety performance is rather abysmal. This includes significant issues such as [silicosis](#), cancer clusters at the [Country Fire Authority Fiskville](#) training academy, the [home insulation program](#), mesothelioma and other [asbestos related diseases](#), the [F-111 deseal reseal](#) victims, a resurgence of [black lung](#) and the recent spate of [mining fatalities](#) across Queensland. Moreover, if the current framework is operating as intended industrial manslaughter legislation is an unnecessary encumbrance. It raises serious concerns about the [structure of Safe Work Australia](#), especially its leadership, tripartite arrangements and alleged independence with excessive influence from a gutter-sniping [minister](#) reminiscent of a [Scottie Road](#) fishwife [snorting shabu](#). This increasingly prevalent [patronising disposition of unaccountable power](#) must always be challenged via speaking the truth to authority and.....*a moment is all it takes*. Ministers, parliamentary secretaries, senior executives, troglodytes, public serpents and many other quivering spineless panjandrums holding positions of economic, social and political influence should be [shirtfronted](#) and catechised via the following [five questions](#): ⁶¹⁸⁵⁻⁶¹⁹³

- 1) What power have you got?
- 2) Where did you get it from?
- 3) In whose interests do you exercise it?
- 4) To whom are you accountable?
- 5) How do we get rid of you?

Any leader or minister who is unable to answer the final question does not live in a democratic system or believe in the process.

Tony Benn (1925 - 2014)

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Quis custodiet ipsos custodes?

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Glossary

Scientific theory is a contrived foothold in the chaos of living phenomena

Wilhelm Reich

The glossary defines and explains many common or exclusive terms used throughout or relating to this treatise. It aims to provide clarity, consistency, reduce confusion or even generate debate because science can never be settled. Numerous definitions are borrowed from the comprehensive resources of Professor Derek Viner and Dr. Rob Long, which are much appreciated and gratefully acknowledged.

A Good Call™: The 7-Eleven corporate logo.

A moment is all it takes: A sophism from Safe Work Australia promoted during its national safe work month in October 2018.

Abaddon: A Hebrew term from the Book of Revelation meaning angel of death.

Absence of evidence: A medical profession axiom.....*Absence of evidence is not evidence of absence*, which offers a succinct explanation for the resurgence of black lung.

Absence of safety: A reactive encumbrance of accident theory.

Absolute control: A systemic risk control metric commonly encountered in transport safety systems and irrespective of growth, it implies risk is decreasing on a total industry basis.

Absolving: A problem solving technique from Russell Ackoff, which suggests the difficulty is merely natural variation and should be monitored but left to run its course.

Abuse of power: A redolent symptom of regulatory capture typically involving elected officials and public servants abusing their power for personal gain at the expense of public interest.

Accelerated silicosis: An acute form of silicosis following short term exposure to excessive concentrations of respirable crystalline silica.

Accident: A sudden unplanned, unexpected and unwanted event causing adverse consequences. Many academics have expressed reservations covering its definition, which impedes scientific discourse and recommend the term be discontinued.

Accredited auditors: Auditors certified by independent third parties to perform audits of specific business management systems and processes.

Actinolite: An amphibole asbestiform commonly encountered in metamorphic rocks.

Glossary (cont'd)

Active and reactive performance indicators: Performance metrics for monitoring upstream inputs and downstream outputs to establish whether business management systems and processes are fulfilling defined objectives.

Active failures: A term encompassing human error at the human machine interface.

Active or passive controls: Active controls are triggered following detection of a process that may produce adverse consequences. Passive controls anticipate the process and require no warning or activation.

Acts of God: A legal term covering events beyond human control.

Actus reus: The objective element of a crime meaning a guilty act.

Adaptive and generative learning: Adaptive learning is a reactive clockwork process synonymous with single loop training or rote learning. Generative processes involve systemic thinking, which is a critical feature of double loop learning.

Administrative controls: Lower order controls, which include training, behaviour based safety, warning signs, and bureaucratic safe work method statements, permits to work, standard operating procedures and safe work instructions.

Affect heuristic: An involuntary subconscious process that expedites decision making.

Affordance theory: An ecological approach to visual perception from James J. Gibson based on the concept of what the environment offers an individual.

Aflatoxins: Carcinogens produced by moulds in soil, decaying vegetation, hay and grains.

Aged care: An Australian federal government program administered by the Department of Health providing information, tools and resources to support the aged care sector through evidence based policy, relevant programs and best practice regulation.

Aggregation: A legal doctrine that prevents bundling of distinct and multiple related claims to cover the minimum monetary value of entitlements.

Agnotology: The study of culturally induced ignorance or doubt, especially involving the publication of inaccurate or deceptive scientific data.

Air receivers: Pressure vessels subject to periodic statutory inspections, which are determined via defined classification protocols.

Glossary (cont'd)

Alcohol and other drugs: Statutory legislation, especially in public transport safety prescribes stringent mandatory requirements covering alcohol and other drugs at work.

Algorithms: A term from mathematics and computer science defined as an unambiguous specification for resolving a class of problems.

Allocations of costs: The allocation of costs associated with workplace injury and disease in Australia is estimated using a methodology developed by the former National Occupational Health and Safety Commission.

Allocation of goals: The process is neither neutral or objective and can generate many undesirable outcomes, which include escalating psychosocial issues. Indeed many higher order goals including love, compassion and leadership are immeasurable and any attempts to measure such traits destroys their value.

Alteration of police statements: A criminal offence tantamount to perverting the course of justice. Many statements made during the immediate aftermath of the Hillsborough disaster were substantially altered to support the South Yorkshire Police version of events.

Amorphous: A substance without a distinct structure, shape or form.

Amosite: An acronym of Asbestos Mines of South Africa and referred to as brown asbestos.

Amusement theme park certification schemes: Statutory legislation prescribes requirements covering independent certification of amusement theme parks, which includes registration of plant design for nominated devices and auxiliary equipment.

An economy is not a society: A book from Australian author Dennis Glover covering the impact of rampant unfettered economic growth and the abandonment of moral policy.

Analysis paralysis: Over analysis of performance metrics generates inertia and apathy and what gets measured gets manipulated.

Ancestral and social environment: A term from Heinrich's accident theory and feature of the domino model linking hereditary traits and the social environment with causation.

Anomie: A condition in which society provides minimal moral guidance to individuals. It evolves from a conflict of belief systems, which fractures the social bonds between an individual and the community and eventually generates solipsism.

Glossary (cont'd)

Annual dividend: A dividend paid on each share held with a company during a financial year or the total amount of dividends the organisation returns in that year.

Answer shopping: A confirmation bias, which involves asking questions amongst colleagues and choosing the answer that aligns with your expectations rather than the most plausible explanation.

Anthophyllite: An amphibole asbestiform.

Anthropological or social perspective: An exclusive study focussing on the norms and values of societies.

Anthropomorphism: The attribution of human traits, emotions or intentions to non-human entities, materials, objects or even organisations.

Antisocial rosters: The disruptive and inhumane working arrangements on many remote resources projects, which are linked to divorce, suicide, substance abuse and the escalating emergence of occupational illness and disease.

Aplastic anaemia: A rare bone marrow disease linked to benzene and radiation exposure.

Apophenia: A tendency to mistakenly perceive connections between unrelated events, which often emerges during cause effect analysis in incident investigations.

Appeal to Reason: A left wing political newspaper published in Kansas and sold throughout the mid-west of the United States at the turn of the twentieth century.

Arational: A non-rational act performed without any reason or logic.

Aripiprazole: Antipsychotic medication used in the treatment of bipolar disorders.

Art and science of mess management: An analysis of soft systems change management techniques from Russell Ackoff.

Artefacts, espoused values and underlying assumptions: Three predominant features of organisational culture described in Edgar Schein's onion model.

Artificial intelligence: A term from computer science, which describes intelligence created by machines in contrast to the natural understanding displayed by humans or other animals.

Glossary (cont'd)

Arts or humanities: Academic disciplines studying the aspects of human society and culture, which include ancient and modern languages, literature, philosophy, religion, theology and art.

AS/NZS 4801 specification criteria: This establishes requirements as a reference against which audit evidence is compared.

Asbestiform minerals: A mineral with high tensile strength consisting of aggregated fibrous crystals with a long narrow appearance, which includes chrysotile, crocidolite and amosite asbestos.

Asbestos - amphibole: A class of asbestos fibres with a distinctive needle type structure, which includes amosite (brown asbestos) and crocidolite (blue asbestos).

Asbestos - serpentine: A class of asbestos fibres with a distinctive curly chain like structure, which includes chrysotile (white asbestos).

Asbestosfluf: A brand name for amosite or brown asbestos, which was used as loose fill material for the insulation of attics in many houses throughout the Australian Capital Territory and surrounding regions.

Asbestosis: A preventable fibrotic lung disease caused by chronic exposure and inhalation of asbestos fibres.

Asset: The term frequently occurs in risk theory and implies something of value to a risk agent that may sustain adverse consequences following an occurrence.

Atelectasis: The partial collapse or incomplete inflation of the lung.

Attribution: A legal doctrine whereby liability is extended to a defendant who did not actually commit the crime.

Attribution error: The application of significance or importance to irrelevant features or occurrences. It frequently occurs with cause effect analysis, especially during incident investigations.

Audit frequency and fatigue: An audit frequency should be determined in accordance with the organisation's risk profile to avoid audit fatigue and excessive bureaucracy, which eventually devalues the integrity of the process.

Audit scope: This establishes the extent and boundaries of the process.

Glossary (cont'd)

Audit tool: Documentation and guidance material for collecting evidence to demonstrate compliance with specification criteria.

Auditing: A systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to establish the extent to which the audit criteria are fulfilled.

Austerity: A political and economic term describing government policies, which aim to reduce deficits via increased taxes and spending cuts.

Australian qualifications framework: The national policy covering regulated qualifications in Australian education and training.

Australian work health and safety strategy: Its objective is to drive key national activities and achieve improvements in work health and safety in collaboration with governments, regulators, industry, unions and other organisations.

Authority to work: An administrative control providing authorisation to perform specific high risk activities.

Auto da fé: The burning of a heretic by the Spanish Inquisition.

Autophagous: A self-consuming process redolent of catabolic capitalism.

Aviation turbine fuel: A clear or pale straw coloured hydrocarbon fuel synthesised from unleaded kerosene and used in F-111 jet fighter fuel tanks at the Royal Australian Air Force Amberley air base.

Bacchanalia: A Roman festival of debauchery.

Backpacker labour: A vulnerable contingent labour hire resource frequently exploited throughout the agricultural and horticultural sectors, especially during harvesting season.

Bad faith: An intent to deceive or hiding the truth from oneself.

Bad science: A book published in 2008 by Ben Goldacre criticising the mainstream media reporting of health and science issues.

Barbarians at the gate: A book from Bryan Burrough and John Helyar published in 1989 describing the leveraged buyout of RJR Nabisco in the United States.

Glossary (cont'd)

Barrier: A risk control measure used to prevent access or progress, typically affixed on or around powered equipment or mobile plant. It may be a permanently installed passive device or an active mechanism, which operates when an object or person enters a defined exclusion zone.

Basic underlying assumptions: A term from Edgar Schein's onion model and used as a determinant of an organisation's attitudes, thought processes and actions.

Bedwetters: A derogatory political term typically describing groups or individuals that go with the flow without a skerrick of integrity, conviction or intestinal fortitude.

Behaviour management: Most techniques employ black box psychology although social psychology argues behaviour is caught not taught and best managed via immersion and experiential learning.

Behavioural economics: A study often referred to as nudge theory covering the effects of psychological, cognitive, cultural, emotional and social factors on the economic decisions of individuals and institutions.

Behavioural safety: Operant conditioning with a stimulus and response relationship previously practised on rodents, which discloses more about the observer than those observed.

Behaviourism: A black box psychology theory involving operant conditioning via a stimulus and response relationship.

Benzene: A carcinogenic aromatic hydrocarbon solvent.

Bernaysian: Relating to Edward Bernays, often considered the godfather of public relations and propaganda.

Bernoulli's hypothesis: It states a person accepts risk not only on the basis of possible losses or gains but also on the utility associated with the uncertainty.

Berufsgenossenschaften: A body of commercial professional associations, which administers the German statutory accident insurance scheme for private sector companies and their employees via the concept of systemic risk control.

Big data: An increasing volume, velocity and variety of electronic information.

Binary oppositional logic: A system of language and thought involving intense conflict with dogmatic dialogue over defined theoretical opposites.

Glossary (cont'd)

Biophysical attributes and social dimensions: Ecological aspects, which are considered important risk factors in transdisciplinary approaches.

Birmingham screwdriver: A universal implement synonymous with Maslow's hammer.

Black box psychology: A mechanistic analysis of an open system by defining its inputs and outputs.

Black economy: A clandestine market of crepuscular rascallions operating beyond government tax and regulatory regimes.

Black lung: A preventable fibrotic occupational lung disease synonymous with coal workers' pneumoconiosis and caused by chronic exposure to respirable coal dust.

Black swan: A stochastic event or occurrence, which is extremely difficult to predict and extends beyond normal expectations.

Blackbirding: An illegal employment practice involving abduction and extortion of Pacific Islanders.

Blame: The allocation of responsibility or finding of fault after something has gone wrong. It prevails amongst the general public and is frequently encountered within the legal profession and law enforcement agencies during the predictable quest for a scapegoat.

Body of knowledge: A Safety Institute of Australia publication defining collective knowledge shared by generalist safety professionals as a basis for understanding the causation and control of occupational injuries or diseases.

Bolsa familia scheme: A Brazilian social welfare program.

Borderline range: Synonymous with borderline personality disorder with symptoms of intense rage, which are typically common amongst female sociopaths.

Bounded rationality: A concept from Herbert Simon advocating that decision making is limited by tractability of the problem, cognitive constraints and time. It produces a reasonable response via satisficing rather than an optimal solution.

Brake and clutch systems: A potential source of exposure to asbestos fibres especially amongst car mechanics during maintenance and repair of older vehicles.

Glossary (cont'd)

Building and construction: The Safe Work Australia model legislation prescribes requirements covering high risk construction work with specific responsibilities for principal contractors.

Building Code of Australia: Its National Construction Code prescribes minimum necessary requirements for safety, health, amenity and sustainability in the design and construction of new buildings (and new building work in existing structures) throughout Australia.

Bullshit bingo: Synonymous with buzzword bingo where participants prepare bingo cards with buzzwords and tick them off when they are used during middle management meetings. Common examples include phrases such as seasonally adjusted, reaching out, moving forward, let me make it quite clear, space, basically and core promises.

Buoyancy compensators: Devices worn by divers to establish neutral and positive buoyancy during underwater diving operations.

Bureaux of Propaganda: An entire government department from Aldous Huxley's Brave New World dedicated to the promotion of propaganda. It shared a building in Fleet Street with the College of Emotional Engineering.

Business continuity: A process which involves creating systems of prevention and recovery to tackle organisational threats.

Business systems and processes: A comprehensive understanding of the intricate interdependency of business systems and processes is a critical feature of operational excellence and expedites cultural change.

Buy now pay later: Another sinister feature of catabolic capitalism, which encourages the lumpenproletariat to purchase what they want instead of what they need, which generates increasing debt, escalating inequality and peonage.

Calculative culture: A term from Hudson's cultural maturity model whereby organisations have implemented systems for managing hazards although a tyranny of bureaucracy and form over substance culture often prevails.

Calisthenics: Exercises involving muscular and aerobic conditioning to improve psychomotor skills such as balance, agility and coordination.

Glossary (cont'd)

Capital of cancer: A community tag applied to the industrial suburb of Kwinana, near Perth in Western Australia due to its high incidence of cancer related deaths.

Capitalism: An economic system based on private ownership of the means of production in a relentless pursuit of profit.

Captured agency: A statutory authority or agency that favours commercial and political aspirations of corporations and their lobbyists.

Carelessness: The term is often used as a synonym for negligence although there are significant legal differences.

Carousel of culpability: A neologism from the Grenfell Tower public inquiry to describe the blame game.

Carpet bagging: A term from the United States describing interlopers that move into a region and seek advantage of a situation that offers substantial benefits.

Cashless society: A sinister and increasingly common feature amongst many developed countries, especially in Scandinavia. It can create generational debt, escalating inequality and indentured servitude.

Casual unskilled workers: A major component of the gig economy.

Cataclysmic meltdown: A term popularised following the Three Mile Island nuclear power plant disaster and also used to describe the 2007-2008 global financial crisis.

Catastrophic environmental incidents: Incidents which damage or harm agriculture, biodiversity, the economy or public health. Examples include Love Canal, Exxon Valdez, Deepwater Horizon and the recent Samarco and Brumadinho tailings dam failures in Brazil.

Categorical data: Counting and converting raw data into categories and the numbers are merely used as descriptors or labels, which constrains practicality.

Cause: Many people embrace an overly simplistic and linear cause-effect analysis of occurrences with an intransigent ideology of causation. The subsequent investigations create an enigmatic web of qualitative descriptors to explain the cause, find a scapegoat and implement suitable corrective action, which typically includes punishment in a futile attempt to prevent recurrence.

Glossary (cont'd)

Cause analysis: This includes an extensive choice of methods on the quantitative-qualitative continuum ranging from objective evaluation to subjective speculation.

Cause - contributory: It is quite distinct from a necessary cause and is defined as an influential feature although the occurrence may have happened in its absence.

Cause - necessary: This is defined as a cause which only creates the specified effect and without which the occurrence would not have happened.

Cause - proximate: The cause most closely associated with the effect in time.

Cause - root: The origin on the cause-effect continuum that triggered the sequence leading to an occurrence and a primary objective of root cause analysis.

Cause - sufficient: The cause in question is one way the occurrence may have happened although it is not the only way.

Cause - ultimate: The cause at the origin of the process and furthest away in time from the effect. It is synonymous with term root cause and often encountered in accident theory.

Caveat emptor: A legal principle that the buyer alone is responsible for checking the quality and suitability of goods before the purchase is made and colloquially termed as let the buyer beware.

Certificate IV OHS: A vocational education and training qualification offered by many registered training organisations throughout Australia.

Certification of safety professionals: A Safety Institute of Australia program covering certification of the generalist occupational health and safety profession. It acknowledges the capability and credibility of safety practitioners or professionals via a combination of their education and work experience.

Chance: A colloquial term and synonym for probability or likelihood.

Change the rules: An initiative from Australian Unions to provide better job security, fair pay and prevent exploitation of vulnerable workers.

Children's crayons: Albeit a relatively low risk and despite import restrictions, traces of asbestos were recently detected in several brands of imported children's crayons sold across Australia.

Choice architecture: A term from behavioural economics and a fundamental concept of nudge theory.

Glossary (cont'd)

Chronic fatigue syndrome: An illness affecting the nervous system and medically referred to as myalgic encephalitis.

Chronic silicosis: The most common form of silicosis and typically emerges following prolonged exposure to respirable crystalline silica.

Chrysotile asbestos: The only serpentine asbestiform and synonymous with white asbestos.

Cigarette filters: Crocidolite or blue asbestos was used in the manufacture of cigarette filters.

Circumstance: Circumstances are usually subject to regular and recognisable change and the term is frequently encountered in risk theory to refine understanding of risk factors.

Climate change: The variation in statistical distribution of weather patterns, typically over a prolonged period.

Clustering illusions: A human tendency to underpredict the variability in small samples of random data.

Coagulopathy: A bleeding disorder symptomatic with the blood's inability to clot or coagulate.

Coal dust: A fine powdered material created during cutting, crushing, grinding and pulverising, especially in underground coal mines. Inhalation of respirable coal dust can result in a range of serious lung disorders and exposure standards have been established under statutory legislation.

Coal Mine Workers' Health Scheme: A statutory program, which protects the health of Queensland coal mine workers via compulsory health assessments.

Coal Mining Safety and Health Act 1999: Statutory legislation in Queensland with a primary object to protect the health and safety of persons at coal mines or other people who may be affected by coal mining operations.

Coal seam gas: Natural gas or methane extracted from coal beds and a valuable energy source throughout the United States, Canada and Australia.

Coal workers' health surveillance program: A component of the Queensland coal miners' health scheme, which prescribes compulsory initial and periodic health assessments.

Coal workers' pneumoconiosis: Synonymous with black lung.

Glossary (cont'd)

Cochrane systematic review: An evaluation of carefully designed healthcare studies or controlled trials. It provides exclusive verification on the effectiveness of interventions, which enables judgments to be made about the evidence with appropriate recommendations.

Code of ethics: Defines the core aspirational values of a profession and provides guidance for specialised decision making, especially during competing priorities with multiple roles and responsibilities.

Codes of practice: The Safe Work Australia model legislative framework is supplemented by model codes of practice, which offer practical guidance to achieve prescribed standards under the model legislation.

Cognitive behaviour therapy: A short term goal oriented psychotherapy treatment for changing disruptive thoughts, beliefs, attitudes and behaviour.

Cognitive capture: Synonymous with cultural or non-materialist capture whereby statutory authorities begin to behave or function like their regulated entities, especially following persistent influence from industry lobbyists.

Cognitive dissonance: The application of mental gymnastics or cognitive chicanery to maintain consistency in spite of contradictory evidence.

Collective coherence: If language lacks structure and meaning it becomes hollow and insincere and collective coherence involves establishing a code of language with mutual understanding and consensual grammar.

Collective mindfulness: A concept developed by Karl Weick covering the unique attributes of high reliability organisations, which include:

- a) Preoccupation with failure
- b) Reluctance to simplify interpretations
- c) Sensitivity to operations
- d) Commitment to resilience
- e) Deference to expertise

Glossary (cont'd)

Collective unconscious: Carl Gustav Jung described ideas, language, aesthetics, art, dance, myths, symbols, artefacts and songs that are shared between communities as the collective unconscious, which establish the foundations of genuine culture.

Collectivism: A cultural value characterised by the cohesiveness and bonding of people with an allocation of priority or importance to the group rather than individuals.

College of Emotional Engineering: A sixty story Fleet Street skyscraper in Aldous Huxley's *Brave New World*.

Command and control: A synonym for authoritarian management structures often associated with the military.

Commercial or corporate veil: A legal construct treating the rights or duties of corporations similarly to its shareholders.

Common employment: An historical defence under English tort law, whereby workers implicitly accepted risks of being injured by colleagues under the terms of common employment arrangements.

Common law: A body of law derived from judicial decisions of courts and similar tribunals.

Common sense: A basic ability to perceive, understand and judge, which is shared by the majority of people in society.

Commonwealth employees: The Commonwealth health and safety legislative framework includes the *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011*, which are administered by Comcare.

Commonwealth Ombudsman: An Australian government agency, which provides assurance that federal government bodies and prescribed private sector organisations treat people fairly and act with integrity.

Communication protocols: The best form of communication is face to face via the immediate supervisor with unpretentious language that is relevant to the working environment.

Communications theory: A field of mathematics and information theory, which studies the technical processing of information.

Communities of practice: A group of people sharing a craft or profession.

Glossary (cont'd)

Community of reciprocation: In social psychology reciprocation is a collective standard or social norm of reacting to positive action via a similar response to develop or enhance cooperation.

Community welfare groups: An extensive range of community welfare groups operates throughout Australia. Most organisations are typically not for profit and many employees or volunteers are members of the Australian Community Workers Association.

Competency requirements: Prescribed under statutory work health and safety legislation, which defines a competent person as an individual who has acquired through training, qualification or experience, sufficient knowledge and skills to perform specific tasks.

Complexity: A state or quality of being intricate or complicated and characterises the enigmatic behaviour of a system or model whose components interact in multiple ways.

Compliance: An organisational aspiration or goal to ensure conformance with statutory legislation, policies and organisational codes of conduct.

Compression arthralgia: Joint pain experienced by deep sea divers following exposure to elevated ambient pressure at relatively high compression rates.

Compulsory liquidation: An insolvency procedure initiated by a court order.

Concentration camps: Fly-in and fly-out accommodation arrangements at some remote resources projects have been harshly referred to as no better than concentration camps.

Concluding (condition and circumstance): A condition or circumstance that is influential in determining outcome pathways of an occurrence or its consequences.

Confidential medical records: Queensland Health is subject to privacy and confidentiality legislation, which establishes standards covering the handling of medical records and other personal information.

Confined space entry procedures: An administrative control measure, which should align with prescribed statutory requirements for safe working in confined spaces.

Conflict of interest: A dilemma which often arises between the motivation to gain any commercial or personal advantage and the moral or ethical requirement to control risk.

Glossary (cont'd)

Confirmation bias: A tendency to readily accept information that reflects and aligns with established beliefs or hypotheses.

Conformity assessment bodies: Accredited organisations under the JAS-ANZ auditing scheme with the competence, credibility, independence and integrity to conduct conformity assessments.

Conformity bias: A tendency to behave similarly to others in a group even if it conflicts with personal principles or judgement.

Conscious competence: A stage or level in the conscious competence learning model where an individual understands or knows how to do something although demonstrating the skill or knowledge requires concentration.

Consequence: The unwanted, negative or adverse impact of an occurrence resulting in injury, damage or loss.

Consequence value: A qualitative or quantitative value of the consequence of a risk experienced by the risk agent and often determined using nominal descriptors or a monetary scale.

Consequence value - likely least: A risk may create a range of potential consequences and the likely least value is the minimum consequence that would be noticeable or the smallest value at which an occurrence may be reported.

Consequence value - likely worst: The likely worst consequence is synonymously referred to in the financial services or insurance sector as the worst probable loss, which is distinctly different from possible worst consequence.

Construction inductions: A prescribed statutory requirement in Australia via the white card scheme for working on designated construction sites.

Consultation: The Safe Work Australia model legislation prescribes requirements covering consultation, cooperation and coordination between duty holders.

Contaminated aquifers: A significant risk pertaining to coal seam gas projects, especially involving exploration and development activities.

Contaminated cosmetics: Low concentrations of asbestiform minerals have been detected in household cosmetics and pharmaceuticals including talcum powder.

Glossary (cont'd)

Contingency planning: A risk management term relating to exceptional risks with unexpected outcomes that require an alternative and often immediate response.

Contingent labour: A feature of the gig economy and cynically termed a McJob. The employment relationship typically involves casual or temporary work with limited job security and little or no opportunities for career development.

Continual or continuous improvement: Synonymous with the Japanese concept of Kaizen and a feature of business improvement techniques such as operational excellence or six sigma.

Contract confidentiality clauses: An administrative control to reduce the risk of regulatory or policy capture.

Contract labour hire: A sinister feature of the gig economy and used by many corporate transnationals in a furtive attempt to circumvent duty of care.

Contractor management: A fundamental tenet of duty of care is that it cannot be delegated to other parties such as principal or independent contractors and organisations must develop and implement contractor management protocols accordingly.

Contributory factor: A feature with the potential to influence the likelihood or consequence of damage in a process. It is synonymous with the term contributory cause, which is often used during cause-effect analysis and incident aetiology.

Contributory proximate causes: A term from proximate cause law in the United States. A cause, which is legally sufficient to result in liability and requires proof of contributory negligence.

Control - active: Control measures which are installed and activated following detection of a process that may lead to damage. Specific examples include water sprinklers intruder alarms, proximity sensors or light curtains.

Control - administrative: Control measures which support and provide a foundation for risk controls of a more physical or procedural nature.

Control - passive: An anticipatory control measure that requires no activation during any process that may lead to potential damage. Specific examples include fire resistant materials or cladding in buildings and guarding of moving components on plant and equipment.

Glossary (cont'd)

Control measure: Any device that may reduce the likelihood or consequence of an occurrence in a process that presents potential for injury, damage or loss.

Coronial inquest: A public hearing which examines the cause and circumstances surrounding the death of somebody in unusual or unnatural circumstances. However not all deaths are the subject of a coronial inquest.

Corporate culture: Synonymous with organisational culture and often narrowly defined from a behavioural perspective as....*the way we do things around here*. However, the social psychological concept is much more discerning and perceptive. It is defined as a pattern of shared basic assumptions, which are collectively acknowledged to successfully challenge exogenous and endogenous risks and generate an implicitly acceptable response.

Corporate governance: A system of rules, practices and processes by which corporations are controlled and directed.

Corporate malfeasance: A broad term describing major or minor crimes that include fraud or embezzlement, which are increasingly committed by senior officers and corporate executives.

Corporate social responsibility: A chimera of business ethics, especially amongst most transnational conglomerates.

Corporate sponsorship: A common feature within government, tertiary education and research establishments, which increases the risk of regulatory and policy capture.

Corporate veil: A legal construct treating the rights or duties of corporations similarly to its shareholders.

Corporations law: A body of law governing the rights, relations and conduct of persons representing companies, organisations or businesses.

Cost benefit analysis: A business process to analyse and enhance decision making, which involves estimating the benefits of a situation or action and subtracting the costs associated with taking that action.

Coumadin: An anticoagulant containing warfarin or rat poison.

Glossary (cont'd)

Council of Australian Governments: The peak intergovernmental forum in Australia that manages matters of national significance or issues requiring coordinated action by all Australian governments.

Counselling: A process of discussing and hopefully resolving personal problems via assistance from a counsellor or psychotherapist.

Coup d'état: An illegal and unconstitutional seizure of power.

Crime and punishment: Traditional occupational health and safety statutes are based on a prescribe, police and punish regime and despite extensive regulatory reform since the industrial revolution, little has changed.

Crisis management: A process by which an organisation deals with a disruptive and unexpected event that threatens to harm the company or its stakeholders.

Cristobalite: A mineral and high temperature polymorph of silica with the same chemical formula as quartz.

Critical incident recovery: A process linked to emergency response and business continuity plans, which can limit adverse consequences and expedite return to normal operations.

Critical theory: A reflective assessment and critique of society and culture via the application of knowledge from the social sciences and humanities. Its tradition seeks to deconstruct grand narratives that foster ideologies of power and oppression.

Critical thinking: Synonymous with discernment, which involves systemic analysis and evaluation of an issue in order to enhance judgement and decision making.

Crocidolite: An amphibole asbestiform commonly termed blue asbestos.

Cross cultural communication: Synonymous with intercultural communication, a discipline which studies communication across different cultures and social groups.

Crystalline and cryptocrystalline substances: Crystalline materials display physical characteristics pertaining to crystals and the attributes are only apparent with cryptocrystalline compounds under high levels of magnification.

Cuckolding: A Shakespearean term synonymous with infidelity.

Glossary (cont'd)

Cultural cognition project: A transdisciplinary study involving a group of scholars at Yale Law School that evaluates how cultural values shape public perception of risk and policy beliefs.

Cultural dimensions: A term from Gerd Hofstede's theory, which describes the effect of a society's culture on the values of its members using six defined dimensions.

Cultural diversity: A prevalence of cultural or ethnic groups within a society that share a mutual respect for each other's differences.

Cultural reproduction: The transmission of cultural values and social norms to subsequent generations.

Cultural theory of risk: A conceptual framework and associated body of empirical studies that seeks to explain societal conflict over risk.

Cup of soma: A recreational drug from Aldous Huxley's *Brave New World* used to cure despair or unhappiness in society.

Cyanosis: A blue or purple discoloration of the skin or mucous membranes resulting from oxygen deprivation.

Cybernetics: A transdisciplinary approach for exploring control systems, especially pertaining to structures, constraints and possibilities.

Cynefin framework: A conceptual framework created by Dave Snowden used to assist or enhance judgement and decision making.

Damage: An unwanted consequence that changes the desirable qualities of an asset.

Damages: A monetary penalty imposed by a court of law on a person or organisation found to be negligent. The penalty is payable to the injured party as compensation for the incurred injury or damage, which also serves as a punishment and offers some restorative justice.

Danger: The term colloquially implies a source of potential injury or damage although it is rarely used during scientific discourse but often displayed on warning signs.

Danger tag: A warning device affixed to an item of plant or equipment, which indicates that operation, entry or use is prohibited due to component failure or insufficient precautions.

Dangerous: It is often used colloquially to imply that injury or damage is possible although a more objective definition is an unacceptably high level of risk.

Glossary (cont'd)

Dead men walking: A term applied to servicemen involved in the maintenance of leaking F-111 jet fighter fuel tanks at the Royal Australian Air Force Amberley air base.

Death by misadventure: Coronial terminology from the United Kingdom confirming death was primarily attributed to an accident emerging from a voluntary risk.

Death or dementia: The only parole for many bereaved dependents following the loss of loved ones in workplace fatalities.

Deaths of despair: A term described by Princeton economists Anne Case and Angus Deaton, which includes deaths from suicide and alcohol or other drugs.

Debt collection: An increasingly prevalent and sinister feature of catabolic capitalism with a trajectory of indentured servitude of peonage.

Decision making: Most approaches to decision making involving risk embrace rational choice theory and assume decisions are reasonably logic. This objectivism disregards the inherent subjective nature of risk and the significant role of the collective unconscious and satisficing in decision making processes.

Declaration of interests: An administrative control measure to reduce the risk of regulatory and policy capture.

Decompression sickness: An ailment often arising from underwater diving compression during ascent and colloquially termed the bends.

Deep saturation dives: A diving technique enabling divers to reduce the risk of decompression sickness when working at great depths for prolonged periods.

Deference to expertise: A feature of high reliability organisations, which involves acknowledging the esteem of lower ranking members in organisational structures and their intimate knowledge of operational activities at the human machine interface.

Defibrillators: Defibrillation is a treatment for life threatening cardiac dysrhythmias via a defibrillator, which delivers a dose of electric current to the heart.

Dehumanising: The contemporary risk narrative with its mechanistic worldview treats individuals as extensions of machines and many victims of workplace injuries or diseases find the inordinate emphasis on metrics dehumanising.

Glossary (cont'd)

Deltas: The lumpenproletariat from Aldous Huxley's *Brave New World*.

Delay, deny and die: A traditional and increasingly prevalent inhumane tactic for handling compensation claims or class actions associated with industrial diseases.

Democracy: A system of government involving the entire population or eligible members of a state, typically through elected representatives.

Deregulation: The repeal of governmental regulation of the economy and feature of laissez faire economics, neoliberalism or free market fundamentalism.

Descriptive and inferential statistics: Descriptive statistics involves the collection, presentation and characterisation of data or information, which offers coherent explanations of its various features of interest. Inferential statistics introduces methods that allow estimation of characteristics in a defined population and the use of historical data to make informed decisions regarding the future.

Design: Safe design integrates risk management techniques into the initial design phase of a process or product lifecycle to eliminate or minimise risks.

Diminution: A reduction in the size, extent or importance of something. It is especially prevalent in industrial safety with specific relevance to labour standards, consultation, tripartite arrangements and independence.

Disciplinary action: A common feature in prescribe, police and punish regimes.

Discriminatory or coercive conduct: As defined under Part 6, Section 105 of the Safe Work Australia Model Work Health and Safety Act.

Dismal science: A derogatory or disparaging reference to economics from Thomas Carlyle in the 19th century.

Displacement activity: Coincidental routines or behaviours, which are irrelevant to specific goals or intentions.

Dissolving: A preventive problem solving technique from Russell Ackoff. Effectiveness usurps efficiency with an emphasis on redesign to eliminate problems.

Disunity: A feature of coercive relationships involving disagreement or conflict within groups.

Glossary (cont'd)

Diversity and inclusion: This occurs when people from different genders, age groups and cultural backgrounds are valued, respected and provided with shared access to opportunities and resources. It enriches attitudes and enhances talent to improve organisational culture.

Domestic appliances: Many older household goods such as toasters, hair dryers, oven mitts, stove mats and electric blankets, which were often acquired as heirlooms or from opportunity shops and garage sales are potential sources of asbestos containing materials.

Domestic violence: An increasingly prevalent social risk, which is exacerbated by occupational stress and other workplace psychosocial issues.

Domino model: A linear accident theory model derived by Heinrich in the 1930s, which is littered with pejorative terminology and tenuous cause and effect relationships.

Double loop learning: A concept developed in the 1980s by Chris Argyris, which involves the modification of goals or decision making rules in the light of experience.

Doublespeak: Synonymous with George Orwell's Newspeak, a political language that deliberately obscures, disguises, distorts or even reverses the meaning of words with the sinister intent of thought control.

Doublethink: An act of simultaneously accepting two mutually contradictory beliefs as correct even within distinct social contexts.

Dreesen Standard: The first US standard for controlling exposure to asbestos dust recommended by Dr. Dreesen from the US Public Health Service in 1938.

Driving without seatbelts: Seatbelts have been proven to reduce the amount of injuries a person may experience in a road crash.

Due diligence: The investigation or exercise of care that a reasonable business or person is expected to take via a prescribed standard before entering into a contract or commercial arrangement with other parties.

Dumbed down: A deliberate oversimplification of intellectual content in literature, news, cinema, culture and educational curricula.

Glossary (cont'd)

Dust and respiratory health forum: A conference coordinated between the Department of Natural Resources Mines and Energy and the Queensland University Sustainable Minerals Institute in November 2018. It included presentation of research activities to identify or explore deficiencies in current knowledge and practice relating to dust and respiratory health.

Dust monitoring and sampling: A reactive control measure with many constraints regarding limitations, reliability and interpretation of results, especially involving mixed particulates such as respirable crystalline silica and coal dust with significantly different exposure standards.

Dust to Dust Make Black Lung History: A campaign organised by the Construction Forestry, Mining and Engineering Union in Australia on behalf of black lung victims.

Duty of care: A legal construct derived from common law. It is defined and codified under most occupational health and safety statutes and cannot be delegated.

Dyspnoea: Difficult or laboured breathing.

Ecoliteracy: An ability to understand the natural systems that make life on earth possible.

Ecological sustainability: Capacity of the biosphere to meet current generational requirements without impairing or hindering the needs of future generations.

Ecopsychology: An emerging social and intellectual discipline that strives to understand and synchronise relationships with the planet.

Effective regulation: This encompasses design of policies, rules and law that are enacted, monitored and supported by a credible threat of truly independent enforcement to produce an intended or expected result.

Egregious leadership: An undesirable trait often associated with ostentatious job titles such as vice president of safety and prevalent amongst militaristic organisational structures. It typically manifests via micromanagement, which extirpates any ethic of risk and destroys integrity.

Efficiency thoroughness trade off: A concept from Professor Erik Hollnagel which concludes it is never possible to maximise efficiency and thoroughness simultaneously.

Egalitarianism: A doctrine promoting equality amongst humanity with a philosophy that all humans are equal in fundamental worth or social status.

Glossary (cont'd)

Elective dictatorship: A term from Lord Hailsham during the 1970s whereby parliamentary processes are underpinned by executive dominance.

Electrical safety commissioner: A statutory appointment under Queensland electrical safety legislation in Australia.

Electrical safety legislation: The *Electrical Safety Act 2002* provides the legislative framework for electrical safety in Queensland, which is supported by the *Electrical Safety Regulation 2013* and subordinate codes of practice.

Electronic surveillance systems: Specific examples include devices for monitoring speed and seat belt use in vehicles to improve driver behaviour although many counterproductive consequences, which include blame, fear and maladaptive anxiety often evolve.

Electronic surveys: A soft systems change management tool typically designed to achieve a predetermined outcome via manipulation of qualitative categorical, ordinal or nominal data.

Elevating work platforms: Statutory legislation in Australia requires a high risk work licence for the operation of specific mobile elevating work platforms, which includes equipment with a horizontal or vertical boom length exceeding 11 metres.

Emergence: The dynamic of unknown forces in the evolutionary discourse of cause.

Emergency control organisation: A structured workplace organisation to coordinate emergency response and evacuation protocols pending arrival of nominated emergency services.

Emergency preparedness and response: Statutory work health and safety legislation prescribes requirements covering emergency planning, preparedness and response.

Emergency stop: A control measure with the sole purpose of implementing an emergency shutdown of powered equipment on which it is installed. Its primary objective is to provide a rapid response with complete de-energisation of the equipment, which reduces the potential for injury or damage. Ordinary stop functions merely bring equipment to a de-energised state via a gradual and synchronised process.

Emergent outcomes and properties: In the fields of philosophy, systems theory, science and art, emergence is defined as a synergistic property or feature whereby the whole is greater than the sum of its parts.

Glossary (cont'd)

Emotional intelligence: An accomplished, tactful and discreet awareness, which involves controlling the expression of emotions supplemented by a discerning ability to handle interpersonal relationships.

Emotional proximity: It has a significant influence on risk perception and the not in my back yard syndrome often prevails. Following significant incidents it unsettles individuals, immediate dependents and extends to families, close friends, communities and different nationalities or cultures.

Endogenous risk: Describes a situation in which the risk is taken by a risk agent under their own volition.

Energy: Energy is the ability to do work. In an isolated system the law of conservation of energy states energy cannot be created or destroyed and its various forms are merely interchangeable.

Energy damage: Damage is an unwanted consequence that changes the desirable qualities of an asset and occurs via the application of sufficient energy with such an intensity that it harms or impairs physical properties of the object.

Energy damage model: A paradigm explaining the process, which involves the transfer of energy leading to undesirable consequences such as injury, damage or loss.

Energy efficient homes package: An Australian government intervention following the global financial crisis. It was administered under the Rudd government and included the disastrous home insulation program.

Energy markets: Commodity markets dealing specifically with trade and supply of energy.

Energy transfer mechanism: The physical means enabling released energy to reach a recipient.

Enforcement: A process of ensuring compliance with laws, regulations, rules, standards, or social norms.

Engagement of contractors: A fundamental tenet of duty of care is that it cannot be delegated although many transnational organisations attempt to circumvent legislative requirements with the use of labour hiring agencies for the engagement of contractors.

Glossary (cont'd)

Engineering controls: A higher order control measure that typically involves capital expenditure although it may reduce future costs.

Entrepreneurial economists: Myopic proselytes of the Friedman doctrine.

Environmental approvals and processes: A statutory requirement under environmental legislation although evidence from several whistleblowers suggest the process was undermined during approval of several major coal seam gas projects throughout Queensland.

Epidemiology: A branch of medicine dealing with the incidence, distribution and control of diseases.

Epistemology: A study of the nature of knowledge, especially its justification and the rationality of belief.

Epsilons: The lumpenproletariat in Aldous Huxley's Brave New World.

Ergonomics: An academic discipline involving study of people at work.

Equitable risk: A situation in which a person is exposed to risk and able to balance its imposition with direct benefits resulting from exposure.

Erosion of labour standards: An increasingly prevalent feature of rampant unfettered free market fundamentalism and regulatory or policy capture.

Error: A pejorative term, which is often disguised via its synonym, active failures. It is a post hoc assessment that suggests actions by an individual were incorrect or unsuitable and differed from a defined standard.

Escalating debt: Another undesirable feature of catabolic capitalism and failure of neoliberal free market economic policies.

Ethereal features: These include many higher order goals and qualitative traits such as compassion, dignity, honesty, integrity, love and truth. Any attempt at measuring such features destroys the meaning of existence and dehumanises society.

Ethic of risk: Denotes core values, beliefs and moral imperatives, which underpin how risk is socially recognised and tackled. It requires respect for the community and its individuals with an acknowledgement of cultural imperatives.

Glossary (cont'd)

Ethical responsibility: An ability to recognise, interpret and apply multiple principles and values in accordance with professional standards and situational requirements.

Ethics and morals: The terms are often used synonymously although there are subtle distinctions. Ethics are the science of morals whereas morals are the practice of ethics.

Every grain of sand: A song by Bob Dylan from the 1981 *Shot of Love* album.

Exorbitant energy costs: In 2017 Origin Energy delivered a \$500 million underlying profit supported by its retail energy portfolio as it attempts to socialise the substantial losses and debt arising from its coal seam gas projects via exorbitant energy costs to consumers.

Eugenics: A term used by Sir Francis Galton and advocated by the Fabian society, which encompasses the science of improving the human species via sinister selective breeding.

Event: A point in the extended energy damage and generalised time sequence model when control is lost over the potentially damaging effects of a hazard or loss inducing threat.

Event analysis: The analysis of outcomes using formal logic diagrams to illustrate the possible trajectories resulting from an event and its potential consequences.

Event mechanism: The means by which control of a threat or potentially damaging energy source is lost.

Event tree: A logic diagram resembling the branches of a tree, which is used to describe and analyse outcome trajectories.

Excellence in the basics: An excessively bureaucratic risk management program implemented across a major coal seam gas project in an otiose attempt to demonstrate due diligence.

Existential dialectic: A much less adversarial approach recognised by Kierkegaard, Ellul and Jung. It acknowledges the concept of wicked problems and the inherent paradox of uncertainty and ambiguity, which is essential for learning, relationships and existence.

Existentialism: A philosophy advocated by Jean Paul Sartre, which recognises the existence of individuals as uninhibited and responsible agents using the acts of free will to determine their development.

Exogenous risk: A situation when the risk is externally imposed on a risk agent.

Glossary (cont'd)

Experiential learning: The process of learning via experience with a reflection on performance and outcomes with a particular emphasis on accomplishments or achievements.

Exploratory data analysis: A statistical assessment involving a preliminary review of the raw data to identify the measuring scales and establish the number and type of variables.

Exposure: In risk theory it is defined as the number of occasions per unit of time in which circumstances or conditions exist that may result in adverse consequences. It is expressed mathematically as exposure = frequency/probability or $e = f/p$ and conveniently denoted as the number of trials per year although any unit of time may apply.

Eye witness statements: Testimonies from eyewitnesses are often used during incident investigations and many are conflicting, which aligns with recent extensive research covering their integrity and unreliability.

Eyes on path or eyes on task: Egregious and pejorative descriptors often encountered on behavioural safety observation checklists.

F-111 Aardvark jet fighters: The deseal reseal program covering repair of leaking F-111 jet fighter fuel tanks at the Royal Australian Air Force Amberley air base led to a parliamentary inquiry to examine health and compensation concerns raised by servicemen and their families.

Facebook Safety: A derogatory description of the current binary oppositional logic that underpins contemporary adversarial approaches to occupational health and safety management.

Fall prevention: Safe Work Australia model regulations prescribe requirements covering the prevention of falls at work, which are supplemented via a model code of practice.

Fallibility: An impartial or neutral necessity of existence and condition of humanity.

Fatalism: A doctrine advocating the subjugation of every event or action to destiny.

Fatwa: A ruling on Islamic law from a recognised authority or jurist.

Fault tree analysis: A method for determining how a top event may occur. It derives from the logic diagram structure, which resembles tree roots that split and diverge from the trunk of the event under analysis. It emerged during the cold war era with the analysis, testing and reliability of intercontinental ballistic missile launch systems and is commonly encountered throughout the military, defence and petrochemical industries.

Glossary (cont'd)

Fear based leadership: A counterproductive symptom of micromanagement in command and control or militaristic organisational structures.

Fibro dwellings: Many housing commission properties constructed during the post war housing boom were built using asbestos containing materials, especially fibreboards.

Financial capture: A term from regulatory capture theory, which is synonymous with materialist capture and tantamount to political corruption.

Fire protection and first aid: Statutory work health and safety legislation across Australia prescribes requirements covering fire protection, emergency response and provision of first aid.

Fixed price contracts: A common feature with many of the major coal seam gas projects in Australia. Payment was independent of the resources used or time expended on the project.

Fly in - fly out (FIFO): Workforce commuting arrangements engaged by most transnational corporations on many remote resources and renewable energy projects.

Following and leading: The manner in which followers and leaders relate is dependent on the organisational structure and the environment within which they are embedded.

Foil insulation: The use of reflective foil laminate in ceiling cavities was considered a significant contributory factor following electrocution of several labourers during the Australian home insulation program.

Food safety standards: The standards place mandatory health and hygiene requirements on Australian food manufacturers, producers, suppliers and retailers with an objective of reducing foodborne illness or disease.

Form over substance: A synonym for window dressing with an inordinate emphasis on the completion of bureaucratic documentation, which usurps outcomes or achievements.

Forsyth inquiry: An Australian state parliamentary inquiry in Victoria covering the labour hire industry and contingent employment arrangements.

Fourth estate: A colloquial term for the press or news media.

Franchising: An increasingly prevalent and sinister tactic used in a furtive attempt to circumvent duty of care.

Glossary (cont'd)

Free market ideology: A principle of laissez faire economics and feature of neoliberalism, which is synonymous with free market fundamentalism. It advocates free trade with the removal or absence of discriminatory government restrictions.

Free will: An unrestricted ability to choose between different possible courses of action.

Freedom of choice: Describes an individual's autonomous opportunity to perform a preferred action from various options, which is unrestrained by external parties.

Freedom to harm: Free market fundamentalism with the merger of state and corporate interests has allowed many transnational conglomerates to circumvent statutory work health and safety legislation and provided many corporate behemoths with a malevolent freedom to harm.

Freedom of information: Legislation providing access by the general public to data held by federal and state governments.

Frequency: In risk theory it is a measure of the rate per unit of time at which occurrences or consequences may transpire or happen. It is defined mathematically as the product of probability and exposure and most commonly expressed as consequences per year.

Frequency and consequence value: Risk typically demonstrates an inverse relationship between frequency (cases per year) and consequence value (cost per case), which can be expressed mathematically as $Risk (R) = Frequency (F) \times Consequence Value (CV)$ and the units of risk are an extremely relevant and useful constant measured as the cost per year.

Frequency rate: The number of reported injuries experienced during a defined period of exposure. Terms often include the total recordable injury frequency rate, which encompasses lost time and medical treatment injuries although the definitions often vary across international jurisdictions.

Friable asbestos: Any raw asbestos or asbestos containing material that can be readily reduced to powder or crumbled via hand pressure.

Friedman doctrine: It advocates a shareholder perspective to corporate social responsibility, which is considered the only group to which the organisation is socially responsible. The primary objective of the organisation is to maximise profits and return representative dividends to its shareholders as a reward for the concomitant investment and associated risk.

Glossary (cont'd)

Functional accountability and responsibility: Initial implementation of occupational health and safety should occur at a functional and supervisory level in the organisational structure. Job descriptions should define specific roles and responsibilities covering work health and safety and be linked to performance reviews.

Fugitive gas emissions: Unintended or irregular release of gases or vapours from pressurised equipment due to leaks and malfunctioning process typically associated with petroleum and gas activities.

Functional capacity evaluation: Workers' compensation and injury management nomenclature that encompasses a series of tests and observations to objectively establish the ability of an individual to function in a variety of occupational circumstances.

Functional resonance: A term from Professor Erik Hollnagel defined as a detectable signal emerging from unintended interactions of the standard variability of multiple signals.

Funnel experiment: Devised by W. Edwards Deming to demonstrate adverse impacts of tampering with a process control system without careful analysis of its potential causes of variation.

Gambler's fallacy: Synonymous with the Monte Carlo fallacy or the myth of the maturity of chances. It is a chimera that if something happens more frequently than usual over a defined period it will occur less often in the future.

Gardner's matrix: The multiple intelligences framework differentiates human intelligence into specific zones or quadrants rather than recognising intelligence as being dominated solely by a general cognitive ability.

Gas testing: A prescribed requirement under statutory legislation to establish safety of the atmosphere before entry into any confined space.

General criminal codes: Documents that describe a particular jurisdiction's criminal law and its recognised offences.

Generalised time sequence model: A linear model from Professor Derek Viner depicting the evolutionary risk based energy damage process.

Glossary (cont'd)

Generational debt: Another adverse consequence of neoliberalism or free market fundamentalism, which establishes the foundations for indentured servitude or peonage.

Genuine independence: A fundamental feature of occupational health and safety architecture in Australia, which was relinquished via dissolution of the former National Occupational Health and Safety Commission.

Gig economy: A labour market characterised by underemployment with the prevalence of short term freelance contracts and contingent or precarious employment arrangements, which offer minimal prospects of career development.

Gilded age: The satirical title of a Mark Twain and Dudley Warner novel, which described an era of rapid economic growth and industrialisation across the United States during the late 19th century and the subsequent consequences of escalating inequality.

Gilets jaunes: The French yellow vest populist grass roots political movement for economic justice, which emerged in November 2018.

Global financial crisis: Following the US subprime mortgage market predicament in 2007 it developed into a cataclysmic financial meltdown and international banking crisis.

Global OHS capability framework: It promotes a high standard of capability for occupational health and safety professionals and provides employers and regulators with criteria covering the differential capabilities between certified professionals and practitioners.

Globalisation: A process by which the world is becoming increasingly disconnected via an exponential expansion of trade and cultural exchange.

Glyphosate approval: A recent study by Sheldon Krinsky and Carey Gillam published in 2018 exposing the corporate malfeasance and undisclosed conflicts of interest with respect to scientific integrity during Monsanto's quest for regulatory authority approval of its glyphosate herbicide.

Gneiss: A high grade metamorphic rock.

Golden corridor: A heavily industrialised area in India's western state of Gujarat.

Golden escalators: A term interconnected with revolving doors, which colloquially describes the prolific job swapping or bed hopping antics of Australian public servants and industry lobbyists.

Glossary (cont'd)

Golden parachutes: Exorbitant bonuses often awarded to senior executives following enforced resignations despite substantive evidence of egregious performances or untenable conduct.

Good governance: A subjective term describing how public institutions conduct public affairs and manage municipal resources in a preferred manner. It can apply to corporate, international, national and local governance or include interactions between other sectors of society.

Goop troops: A sobriquet applied to the Royal Australian Air Force F-111 fuel tank maintenance crews at its Amberley air base.

Gordian knot: A visual representation of wicked problems devised between Craig Ashhust and Dr. Rob Long, which depicts interrelationships linking the following areas and dimensions:

- a) Context - Instability and constraints
- b) People - Diversity and intractability
- c) Systems - Complexity and ambiguity

Gotcha culture: An emergent culture throughout workplace health and safety focussing on compliance and enforcement via counterintuitive gotcha management with an inordinate focus on pettifogging or trivial fault finding.

Government registration schemes: These apply to motor vehicles and older models require mandatory inspections. Registration schemes also extend to the design of specific powered mobile plant and equipment under statutory work health and safety legislation.

Granite: An igneous rock containing quartz and feldspar.

Grinders' asthma: An occupational lung disease synonymous with silicosis.

Gross domestic product: A monetary measure describing the total value of goods produced and services provided in a country typically over a period of one year.

Group and grid dimensional scales: A qualitative technique from the cultural theory of risk designed by Mary Douglas and Aaron Wildavsky et al, which describes how native rituals and practices are relevant to modern society.

Group dynamics and group think: A psychological phenomenon amongst groups of people whereby a desire for harmony or conformity creates an irrational or dysfunctional outcome.

Grunerite: A fibrous asbestiform from the amphibole group.

Glossary (cont'd)

Guard or guarding: An active or passive device installed on plant and equipment preventing access into defined exclusion zones to reduce the likelihood of adverse consequences.

Guidance standards: Approved documents providing practical advice for employers and employees, which include an extensive range of Australian Standards covering the management of occupational health and safety risks.

Gujarat: A heavily industrialised region in western India.

Gun control: A set of laws or policies regulating the manufacture, sale, transfer, possession, modification or use of firearms by civilians.

Hard systems: A organisational change management feature, which provides a rigorous and systematic approach to fulfil objectives or goals using a range of options for action.

Harm: A term encompassing injury or damage and perhaps loss.

Harm minimisation: A range of public health policies designed to reduce adverse physical and social consequences pertaining to legal or illegal human behaviour.

Harmonisation: An unsuccessful attempt to standardise occupational health and safety legislation and create national uniformity across Australia.

Hazard: It is frequently encountered in statutory legislation via an encompassing and often frustrating definition as anything with the potential to cause harm. Risk and energy damage theory offers a more objective definition as a potentially damaging energy source.

Hazard and operability analysis: A qualitative tool developed to reduce the risk of leaks, fire and explosions and enhance resilience of petrochemical plant following component failures. More recently, the concept has been extended to safe design, especially in the construction industry.

Hazardous: This is synonymous with the term hazard although it is often used qualitatively and colloquially to suggest high risk or unsafe situations.

Health and Morals of Apprentices Act: Statutory legislation introduced by Sir Robert Peel in 1802 designed to improve working conditions for apprentices in cotton mills.

Health care: The maintenance or improvement of health via prevention, diagnosis and treatment of disease, illness, injury and other physical or mental impairments in human beings.

Glossary (cont'd)

Health surveillance: Safe Work Australia model regulations prescribe requirements covering use, handling and storage of hazardous chemicals and health monitoring is mandatory for specified substances, which include asbestos, benzene, crystalline silica, lead and isocyanates.

Healthy, safe and productive working lives: The Safe Work Australia vision which underpins its current Work Health and Safety Strategy 2012-2022.

Hegemony: The rule of a dominant idea or group denoting ultimate supremacy.

Hermeneutics: The theory and methodology of interpretation.

Heritage listed buildings: Many heritage listed and older buildings are potential sources of asbestos containing materials and statutory registers should be maintained accordingly.

Hessian bags: Unlined hessian bags were used for packing and distribution of raw asbestos from mine sites to manufacturing plants and then recycled to produce underlay for carpets.

Heuristics: Experienced based cognitive technique used for problem solving, learning or discovery, which expedites the process of finding a satisfactory solution, especially when an exhaustive search is constrained by the situation.

Heys and Barrow: A landmark legal case , which pierced the corporate veil and confirmed the liability of CSR Limited for causing asbestos related diseases to their workers at the Wittenoom mine.

Hidden curriculum: It refers to the unwritten, unofficial and often unintended lessons, where values are caught not taught.

Hierarchy of control: A statement of the preferred order in which hazard controls should be selected. It addresses the safe place or safer person dichotomy and originates from the field of occupational hygiene with a preference for design changes. Administrative or behavioural controls are categorised as the least effective.

High potential incident: A qualitative term from process safety and typically encountered throughout the resources sector. It is defined as an event, which under different circumstances may have resulted in catastrophic consequences.

High pressure neurological syndrome: A neurological and physiological deep sea diving disorder.

Glossary (cont'd)

High reliability organisations: Organisations with uniquely defined attributes that have successfully avoided catastrophes despite the risk factors and complexity of their working environments.

High risk construction work: Defined under Safe Work Australia Model Regulations, Part 6.1, Clause 291 and specifically requires documentation of safe work method statements.

High risk industry: A list of industries categorised using the Australia and New Zealand Industrial Classification system and defined pursuant to section 115 of the Queensland Workers' Compensation and Rehabilitation Regulation 2014.

Higher order controls: Control measures considered more effective in tackling risk with an intrinsic focus on reliability by eliminating the hazard or reducing risk and changing the situation via safe design.

Hindsight: A bias of creeping determinism typically encountered during incident investigations. This refers to the tendency of people to perceive occurrences as more predictable after the event than before it happened, which often distorts memories and is colloquially termed 20/20 vision.

Hiring agencies: Organisations often used for supply of contingent labour, which frequently involves exploitation and intimidation of vulnerable workers, especially throughout the agricultural and horticultural sectors during harvesting seasons.

Home insulation program: A failed component of the Australian government's energy efficient homes package and often referred to as the pink batts scheme.

Homeless alcoholics: Many homeless are plagued by alcoholism and it places enormous strain on society, especially the public health system and ancillary services.

Hospital intensive care units: A specialised hospital department or health care facility providing intensive treatment and medicine.

Hot work permits: An administrative control measure typically used to control specific activities in electrically classified hazardous areas. It provides authorisation to perform hot work, which is defined as any spark producing activity and includes welding or grinding.

House of cards: A colloquial business term for an inherently unstable organisational structure.

Glossary (cont'd)

Hubris: A condition indicating the loss of contact with reality, which results in extreme overconfidence and complacency.

Hudson cultural maturity model: A qualitative model depicting the progressive evolution of an organisation's safety culture based on rather narrow behaviourist assumptions.

Human behaviour: The response of individuals or groups to internal and external stimuli.

Human error: In occupational health and safety it has been formally defined as a missing or inappropriate response to a stimulus although no further explanation is provided regarding the inducement. The subject has been studied extensively with many attempts to define the term objectively and predict its probability of occurrence. Over recent years significant developments in understanding human error offer remarkable potential, especially within high risk industries although the applications are invariably fractured or spasmodic.

Human factors: The scientific study of individual characteristics with specific relevance to the working environment. It encompasses ergonomics and involves the application of psychological and physiological principles to the design of products, processes and systems with the objective of reducing human error and increasing productivity.

Human reliability analysis: A term related to human factors and ergonomics involving two general classes, which include probabilistic risk assessment and cognitive control techniques.

Human unconscious: Functions of the human mind which are not immediately known or relayed to the conscious mind. It is synonymous with the term subconscious although this is usually associated with psychoanalysis.

Humility: An egalitarian trait of effective leadership and defined as a quality of having a modest or unexceptional view of their own importance.

Hyperthermia: A condition which occurs when the body's heat regulatory processes are overwhelmed by external conditions causing an increase in body temperature.

Hypothesis testing: The use of information derived from random sampling to evaluate a claim about a population.

Glossary (cont'd)

Hypothetical perception of perfection: An increasingly prevalent toxic byproduct of zero harm ideology and incongruous with the subjective legal standard of reducing risk to as low as reasonably practicable.

Ideology: A collection of normative beliefs and values that an individual or group holds for other than purely epistemic reasons.

Igloo of ignorance: A model devised by Christof Tannert et al covering uncertainty and ethical decision making.

Illegal phoenix activity: A scam particularly prevalent amongst the building and construction industry when a new company is registered and replicates the business of an organisation that was deliberately liquidated to circumvent its liabilities.

Illness: A term implying the presence of a disease.

Incidence: A relative control metric expressed as the number of cases of interest per denominator of exposure. It is typically encountered in the public transport safety sector, especially aviation and often appears as the number of fatalities per passenger miles flown.

Incident: This is commonly used as a synonym for accident or occasionally as an occurrence without an adverse consequence, which may also be categorised as a near miss or null outcome.

Incident aetiology: The philosophy of causation, which applies to incidents via a comprehensive range of investigative techniques that include simple and complex linear models or intricate multidimensional approaches.

Incident cause analysis method: A proprietary multifactorial and linear incident investigation technique using cause and effect analysis based on James Reason's Swiss Cheese model.

Incidental learning: Unintentional learning whereby values are caught not taught and often categorised as the hidden curriculum.

Indentured servitude: An employee engaged in forced labour and bound by an involuntary or unilateral contract to work for a specific employer over a defined period to reconcile an escalating debt. It often targets vulnerable workers, especially migrants and is exacerbated by the gig economy, a proliferation of credit, student loans and a cashless society.

Glossary (cont'd)

Indictable offence: In Australia it is identified as a serious offence where the defendant has the right to have the matter heard before a judge and jury in a higher court.

Individualism: A principled stance, political philosophy, ideology or social outlook, which emphasises the moral worth of an individual.

Indoctrinating inductions: Most work health and safety inductions in Australia have very little integrity, especially the construction industry white card, which is a superficial displacement activity and merely treats inductees as receptacles of data.

Indoctrination: The inculcation of individuals with ideas, attitudes, cognitive strategies or doctrines often via rote or single loop learning.

Industrial diseases: Synonymous with occupational diseases and defined as any chronic ailment occurring as a result of a work related activity. Common examples include occupational lung diseases such as asbestosis, mesothelioma, black lung or silicosis.

Industrial manslaughter: Legislation was recently introduced under Queensland statutory health and safety legislation making it an offence for a person conducting a business or undertaking or a senior officer to negligently cause the death of a worker.

Industry associations: Most associations are typically not for profit organisations offering a range of member services, which include professional advocacy, lobbying and training.

Infallibility: The critical elements of infallibility are perfection and absolute being although the essence of being human is that one does not seek perfection. It is beyond reality and incongruous with uncertainty.

Inferential statistics: Estimation of the characteristics in a specific population using historical quantitative or qualitative data to make informed decisions regarding the future.

Informed culture: A term from Professor James Reason, which involves engineering a safety culture and consolidation of the following components:

- a) A reporting culture
- b) A just culture
- c) A flexible culture
- d) A learning culture

Glossary (cont'd)

Inhalable: A fraction of dust including particulates that can enter the nose and mouth during normal breathing.

Injury: The damage experienced by the body of a mammal.

Injury frequency rates: A common metric of obscure origins and defined as the number of reported injuries experienced during a defined period of exposure. Terms often include the total recordable injury frequency rate, which encompasses lost time and medical treatment injuries although definitions can vary across international jurisdictions.

Inspection and service of critical components: A statutory requirement covering periodic inspection and service of defined classes of pressure vessels including boilers, air receivers and auxiliary equipment.

Integrity in professional advocacy: In the contemporary plutocracy the Bryce Harlow Foundation insignia is best defined by the Orwell maxim.... *War is peace, freedom is slavery and ignorance is strength.*

Interest rates: Prolonged extraordinary low interest rates are designed to stimulate economic growth and encourage investment.

Intimidation: An increasingly prevalent feature experienced by contingent labour hire employees, especially vulnerable migrants.

Isolation: Removal of energy sources and stored energy from items of plant and equipment with additional protocols involving the use of personal locks or danger tags. The required standard is determined by the degree of risk if the protection mechanism reliability fails.

Insulation industry assistance package: A relief scheme offered by the Australian federal government to businesses following its sudden termination of the home insulation program.

Insulation workers adjustment package: An interim fund and scheme established to assist displaced insulation workers following the sudden termination of the home insulation program.

Inter-Governmental agreement: An accord from the Australian federal government countersigned on 3rd July 2008 ratifying cooperation between Commonwealth, state and territory governments on the harmonisation of safety legislation with the establishment of suitable governance arrangements to support the alliance.

Glossary (cont'd)

International Labour Organization: A United Nations agency establishing international labour standards, which advocate decent working conditions and offer social protection.

International Labour Organization Convention C155: A convention ratified by Australia in March 2004 covering occupational safety and health in the working environment.

International Labour Organization Convention C176: A convention covering safety and health in mines not yet ratified by the Australian federal government.

Invisible hand: A much maligned and obscure term in Adam Smith's *Wealth of Nations* described as unobservable market forces enabling the supply and demand of goods in a free market to reach equilibrium.

Involuntary and inequitable risk: Prevents risk agents from evaluating benefits via the curtailment of free will and freedom of choice.

Iron pyrites: Iron sulphide and synonymous with the term fool's gold. It is occasionally encountered in narrow coal seams and a potential contributory factor in the rapid onset of progressive massive fibrosis amongst black lung victims.

Isometric risk lines: Lines of equal risk on a frequency and consequence value risk diagram.

JAS-ANZ: Joint Accreditation System of Australia and New Zealand. An accreditation authority and framework enabling enhancement of national or global trade via accreditation to achieve international recognition for the excellence of Australian and New Zealand goods and services.

Jim Crow laws: State and local government laws in the deep south of the United States enforcing racial segregation.

Job safety analysis: An administrative process involving documentation of risk assessments which covers the identification of hazards and assessing and controlling risk for nominated activities.

Joule: A unit of energy and a product of force and distance moved in the direction of the applied force, typically measured as a Newton metre or Nm.

Jurisprudence: The theory or philosophy of law.

Kafkaesque: A dystopian and surreal situation described by Franz Kafka, which often involves sinister omnipotent power accompanied by a tyranny of bureaucracy.

Glossary (cont'd)

Kaizen: A Japanese quality management term meaning continuous improvement.

Kentledge: Slabs of concrete often used as counterweights on tower cranes or swing bridges.

Keynesian economics: A macroeconomic theory covering the intermediate influence of aggregate demand on economic output, especially during a recession.

Kinaesthetic learning: Synonymous with tactile learning and occurs via the performance of physical activities rather than single loop chalk and talk indoctrination or data dumps.

Kiss up and kick down: A neologism used to describe middle managers in organisational structures who are flattering and polite towards superiors but abusive and aggressive with subordinates. It is increasingly prevalent amongst many female corporate sociopaths.

Kleptocracy: A government with corrupt leaders exploiting people and natural resources via misappropriation of power to accumulate personal wealth and consolidate political supremacy.

Laissez faire: An economic system where private transactions are free from government interference via regulation, privileges, tariffs or subsidies.

Language of priorities: A counterintuitive technique that disguises the social reality of existence and disregards complexity of competing values.

Latent conditions: A term immortalised via Professor James Reason's Swiss Cheese model. These often consist of inferior design, insufficient supervision, undetected manufacturing defects, maintenance failures, unsuitable equipment, impractical procedures and inadequate training. The conditions typically emerge following strategic executive decisions and like blood borne pathogens often remain dormant and a distinctive and indifferent corporate culture manifests. It can persist for many years until it combines with local circumstances or active failures to penetrate a system's robust defences with catastrophic consequences.

Law of diminishing marginal returns: A economics law stating that incessant measures to increase production eventually results in immaterial or insignificant improvements in output.

Lawful killing: Synonymous with justifiable homicide and lies on a tenuous continuum between an excuse, justification and absolution.

Layers of protection: A semi-quantitative risk management technique typically used in process safety.

Glossary (cont'd)

Laws and sausages: A quote often misattributed to Bismarck which suggests the manufacture of both is somewhat unpleasant.

Leaders and leadership: Leaders are individuals who make a positive and meaningful difference to the livelihood, work and learning of others using influence and persuasion. This involves development of sustainable relationships with followers via a collaborative and reciprocal process.

Learned helplessness: A counterintuitive symptom that emerges when individuals experience unavoidable, repetitive and unpleasant stimuli.

Legislative framework: The occupational health and safety legislative framework in Australia consists of a principal act that codifies the duty of care principles of common law. This is reinforced by consolidated subordinate regulations, which adopt a preventive, systematic and consultative risk management approach supported by a statutory no fault workers' compensation and injury management scheme.

Lessons learned: Knowledge or understanding typically gained following an unfortunate experience although it is often compromised by hindsight bias and mistakenly considered a preventive mechanism.

Leukaemia: Sufficient evidence suggests benzene exposure causes acute myeloid leukaemia and is linked to acute and chronic lymphocytic leukaemia. Cases are emerging amongst Foxconn employees in China, where it is used as a cleaning solvent during production of mobile phones and other electronic devices.

Level systemic control: A systemic risk control performance metric that implies risk is increasing no faster than the system's rate of expansion and is characterised by stability over time.

Lewin three phase model: A pioneering soft systems change management model consisting of three phases, which include unfreezing, moving and refreezing.

Liability: An allocation of responsibility following an adverse consequence via a contractual obligation or statutory requirement.

Likelihood: A colloquialism that is synonymous with chance and often expressed scientifically as probability.

Glossary (cont'd)

Libertarian paternalism: A term from Richard Thaler describing the behavioural economics concept of nudge theory.

Liberté, égalité and fraternité: Liberty, equality and fraternity, the national motto of France and the Republic of Haiti.

Likert scale survey: A qualitative psychometric tool, which involves counting not measuring. It uses categorical data with numbers as labels and an interval scale of measurement. The results are often widely misinterpreted and even manipulated to achieve a predetermined outcome or support hidden agendas, especially amongst safety crusaders.

Limited liability: A term from corporate law where a person's financial liability is limited to a fixed sum, which is typically the value of a person's investment in a company or partnership. If an organisation with limited liability is sued, the claimants are taking action against the company and not its owners or investors.

Line of fire: Meaningless pejorative terminology often encountered on behavioural safety observation checklists along with similar terms such as eyes on task or situational awareness.

Linear models: Simple linear models assume that accidents occur via a sequential interaction of conditions or circumstances and are underpinned by cause and effect analysis. Complex linear models advocate a multifactorial approach via a direct combination of proximate active failures or unsafe acts and distal latent conditions.

Lobbying: An act of attempting to influence actions, policies or decisions of public officials, especially legislators and regulators. It is synonymous with persuasion or interest representation and a prominent feature of financial and cognitive regulatory capture.

Local exhaust ventilation: An engineering control measure often applied to reduce exposure to toxic gases and hazardous fumes, vapours or dusts.

Locally undesirable land use: An environmental planning term describing industrial development that creates unwelcome risks amongst neighbouring communities. This includes potential public health hazards, decreasing property values and undesirable aesthetics, which quite understandably generates the not in my back yard syndrome.

Logorrhea: A communication disorder synonymous with verbosity.

Glossary (cont'd)

Loss - financial: A reduction in the monetary value of an asset.

Loss - psychological: An unwanted emotional or physical absence of a loved one or item of value, especially following theft, burglary, armed robbery or a death in the family.

Loss rate: The annual average amount of money required to pay for the cost of emerging adverse consequences. The rate is a product of the frequency of loss and its severity.

Lost time injuries: An ex post facto and statistically unreliable metric, which is commonly used to monitor occupational health and safety performance.

Lower isometric risk line: The lower line on a frequency versus consequence value risk diagram below which the risk may be considered tolerable or safe.

Lower order controls: In the hierarchy of controls these consist of administrative measures and the use of personal protective equipment, which are considered least effective. It is a misnomer and places an inordinate reliance on compliance and individual behaviour with an increased scope for human error.

Lumpenproletariat: The disorganised and apolitical elements of society without any interest in revolutionary advancement.

Lung cancer: The leading cause of cancer deaths in Australia and often attributed to cigarette smoking. However, it can emerge following acute or chronic exposure to toxic chemicals and respirable dusts in the occupational environment.

Machiavelli's meme: Keep your friends close and enemies even closer.

Machine learning: A branch of artificial intelligence based on the sinister dystopian concept that systems can learn from data, identify patterns and make decisions with minimal human intervention.

Maladaptive anxiety: A social anxiety disorder that generates maladaptive behaviour, which often exacerbates the condition.

Managing the unexpected: A term describing anticipation and containment strategies to ensure resilient performance in an era of uncertainty and increasing complexity.

Mandatory vehicle inspections: An active administrative control measure and statutory requirement in transport safety, which is linked to vehicle registration protocols.

Glossary (cont'd)

Manipulating data: An increasingly prevalent feature of bad science that emasculates the integrity of epidemiological health studies or surveys. Its extent is quite sinister and scientism has an established tradition of manipulating evidence, data and analysis to create and maintain an auspicious environment for industry at material and ideological levels.

Market economy: An economic system in which investment, production and distribution decisions are influenced by price signals from the forces of supply and demand.

Masculinity v femininity: In a business context it is often termed the tough or tender approach. Masculinity displays a preference for heroism and assertiveness whereas femininity consists of more subtle traits, which include cooperation, compassion and empathy.

Maslow's hammer: A cognitive bias termed the law of the instrument. It describes the over reliance on a familiar tool and is synonymous with a Birmingham screwdriver.

Massachusetts Avenue: A Washington DC thoroughfare and headquarters of many transnational conglomerates and corporate lobbyists.

Material risk: A situation involving exposure to significant threats or extreme energy sources under typical operating circumstances. It can generate substantial adverse consequences that endangers organisational existence and is synonymous with operational risk.

Maximum probable loss: Insurance or financial services terminology, which is synonymous with the likely worst consequence.

McCallum report: A review of the *New South Wales Occupational Health and Safety Act 1983* by Professor Ron McCallum in 1997 for the Standing Committee of Law and Justice. It involved an extensive inquiry into the effectiveness of existing workplace health and safety arrangements.

Measurement myopia: An adverse consequence of scientism or positivism often resulting in analysis paralysis.

Meme: An unconscious dynamic for transmission of cultural ideas, symbols or practices via semiotics.

Mens rea: It is extremely difficult to prove an anthropomorphic corporation has a guilty mind and mens rea is the mental element of a person's intent to commit a crime. This is corroborated by the legal maxim....*The act is not culpable unless the mind is guilty.*

Glossary (cont'd)

Merewether report: The first major clinical study covering occupational exposure to asbestos conducted by Dr. Edward Merewether back in 1930. It established a causal nexus between asbestos exposure and the latent onset of asbestosis.

Mesothelioma: An occupational lung disease and rare form of cancer that can develop decades after initial exposure to asbestos.

Meta-analysis: A statistical technique combining the results of multiple scientific studies.

Metal staples: A significant contributory factor in the electrocution of labourers during installation of insulating material in the home insulation program across Australia and New Zealand.

Metanoia: A transdisciplinarity term meaning beyond knowing, which typically involves a transformative change of hearts and minds.

Metaphysical: A term associated with the fundamental nature of reality, especially the relationships between mind and matter, substance and attribute and possibility or actuality.

Methodology: A systematic, theoretical analysis of the methods applied to a field of study.

Methyl ethyl ketone: A toxic chemical solvent used during the Royal Australian Air Force controversial deseal reseal program covering repairs to leaking F-111 jet fighter fuel tanks at its Amberley air base.

Micromanagement: A counterproductive management technique, which often involves excessive control of subordinates using oppressive tactics that destroys trust and extirpates leadership.

Mindful militancy: An adept negotiating tactic popularised by the late Australian union activist, Laurie Carmichael and often employed by Senator Doug Cameron.

Mine dust lung diseases: A range of preventable occupational or public health lung diseases, which include colloquial terms such as black lung and miners' asthma or phthisis. The diseases can emerge following acute or chronic exposure to respirable dusts often generated during mining and quarrying activities.

Mining and mineral resources: The extraction of valuable minerals or other geological materials from the earth, usually from an ore body, lode, vein, seam, reef or placer deposit, which form a mineralised stratum that is of economic interest to major mineral resources conglomerates.

Glossary (cont'd)

Mining disasters: In Australia between 1882-2000 there were 63 mining disasters, which are defined as events involving at least three fatalities and the cumulative total amounts to 665 deaths. This does not include mine dust lung diseases and the current toll in Queensland exceeds 120 confirmed cases.

Mitigation: The term is synonymous with risk control. It is frequently encountered in risk management and encompasses any measure to reduce risk.

Model regulations and codes of practice: Developed by Safe Work Australia as part of the harmonisation and national uniformity process to establish detailed requirements, which support prescribed duties under the model Work Health and Safety Act.

Model Work Health and Safety Act: A framework which codifies duty of care principles of common law. It was developed by Safe Work Australia and its principal object is to provide a balanced and nationally consistent framework and secure the health and safety of people at work.

Monash review: An independent evaluation covering the respiratory component of the Coal Mine Workers' Health Scheme conducted by the Monash Centre for Occupational and Environmental Health.

Money doesn't talk it swears: A 1960s neologism from Bob Dylan.

Monitor and evaluate: A principal element in the Deming quality management cycle advocating use of active and reactive performance metrics.

Moonlight state: A chthonic term applied to the State of Queensland, especially following its infamous Fitzgerald inquiry.

Moonlighting: A colloquial expression for performing an enigmatic second job, typically involving crepuscular activities with cash in hand payment terms.

Mr Fluffy: A colloquial name applied to the company insulating roof cavities with loose fill asbestos across the Australian Capital Territory and in neighbouring New South Wales towns.

Multidimensional models: A complex aetiological approach to incident investigations, which recognises that failure occurs when the entire system variance and tolerance exceeds its functional capabilities.

Glossary (cont'd)

Multifactorial causation: A putative and systemic incident investigation technique, which acknowledges the influence and combination of upstream distal latent conditions and downstream proximate active failures.

Multiple chemical sensitivity: A complex condition involving numerous debilitating symptoms linked to low level exposure to chemicals.

Multiple intelligences: A framework from Howard Gardner, which acknowledges that students are not merely receptacles of data and recognises learning occurs through an extensive range of multiple intelligences.

Murphy's law: An epigram aligning with a fundamental tenet of risk theory, which states.....*Anything that can go wrong will go wrong.*

Must, should and could do controls: A strategic risk management concept promoted by Professor Derek Viner. It involves implementation of mandatory or must do controls to ensure compliance with statutory requirements. Control measures requiring compliance with advisory codes of practice or guidance standards are categorised as should do controls. Remaining risks can be addressed via could do controls and are subject to a cost benefit analysis to satisfy the law of diminishing marginal returns.

Myth of Sisyphus: A novel by French Algerian author and philosopher Albert Camus. It describes the eternal struggle between the human tendency to seek inherent value and meaning in life and a recurring inability to discover these features in an otiose or chaotic universe.

Nation Building and Jobs Plan: An economic stimulus program devised by the Rudd government in Australia following the global financial crisis. It included the disastrous home insulation or pink batts scheme allegedly concocted on a paper napkin in a domestic airport departure lounge.

National culture: A generic profile of national cultures is provided via Hofstede's cultural dimensions theory and complementary model using an extensive range of qualitative dimensions.

National Heavy Vehicle Regulator: An independent statutory authority pursuant to the Heavy Vehicle National Law. It is an autonomous body and regulator for heavy vehicles and dedicated to achieving a safe, efficient and productive heavy vehicle industry serving the needs of Australia.

Glossary (cont'd)

National Industrial Chemicals Notification and Assessment Scheme: A federal government agency scheme, which helps protect the environment and Australian people by promoting the safe use of industrial chemicals and assessing the risks pertaining to an extensive range of manufacturing processes.

National Occupational Health and Safety Commission: An independent statutory authority established in 1985. It coordinated national efforts to prevent occupational fatalities, injury and disease in Australia and was dissolved by the Howard government in 2005 and eventually replaced by Safe Work Australia.

National safe work month: An annual event held during October, which is promoted by Safe Work Australia and supported by state regulatory authorities.

National security: An obfuscation of teaching with learning and imagination is controlled to accept ceremony over value. Medical treatment is mistaken for health care, police protection for safety and military prowess for national security.

Navigating the safety space: An illustration from Professor James Reason depicting the lifespan of a hypothetical organisation through the production and protection dichotomy. It is often reflected in many corporations via the dialectic between the Friedman doctrine and the primary object of work health and safety legislation.

Near miss: An expression colloquially encountered in accident theory and occasionally termed near hit. It is synonymous with the terms null consequence or null outcome frequently used in risk theory.

Negligence: A concept derived from common law based on the legal construct of a reasonable person and foreseeability.

Neoliberalism: A political and economic doctrine involving the merger of state and corporate interests. It advocates that human wellbeing is best advanced via the liberation of individual entrepreneurial freedom and aptitude within an institutional framework. This is reinforced by robust private property rights with free market fundamentalism and the government's role merely creates suitable federal, state and local administrative structures enabling such practices.

Glossary (cont'd)

Neurochemistry: A branch of neuroscience involving the study of neurochemicals such as neurotransmitters, psychopharmaceuticals or neuropeptides and their influence on neurons, synapses and neural networks.

Neurolinguistic programming: A psychotherapeutic snake oil and personal development nostrum, which attempts to control communication.

Neuropsychology: A study of the structure and function of the brain, which covers its interrelationship with psychological processes and behaviours.

Neuroscientific imaging: A combination of diagnostic techniques, which attempts to replicate the structure, function or pharmacology of the nervous system.

No conviction recorded: In Australian jurisdictions courts have discretion to impose a sentence without recording a conviction.

Noise dosimetry: A scientific technique measuring integrated noise exposure over time.

Non-competing agreements: A contract law covenant that prohibits commercial competition, over a defined period and typically applies between former employees and their previous employer.

Non-materialist capture: A lobbying process synonymous with cognitive regulatory capture, which attempts to win hearts and minds.

Not for profit: A non-business entity dedicated to advancing social causes or advocating shared values..... *War is peace, freedom is slavery and ignorance is strength.*

Not in my back yard: An adversarial stance adopted by residents opposed to development in their community.

Nuclear energy: Energy released during nuclear fission or fusion and often used to generate electricity.

Nuclear power: The use of nuclear reactions to release energy, which drives turbines to produce electricity in a nuclear power plant.

Nudge theory: A behavioural economics concept from Richard Thaler and Cass Sunstein, which describes the effects of psychological, cognitive, cultural, emotional and social factors on the economic decisions of individuals and institutions.

Glossary (cont'd)

Null consequence: An outcome without adverse consequences and occasionally referred to as a near miss or soft landing.

Null outcome: A brief outcome that is rapidly terminated and often categorised as a near miss, especially in accident theory.

Objective quantitative analysis: A positivist approach based on facts, which often disregards the inherently subjective nature of risk.

Objective risk: Risk based on substantive evidence with scientific facts.

Objectivism: A tendency to emphasise what is external to or independent of the mind.

Obscurantism: The deliberate practice of preventing or disclosing facts or precise details of a subject or event from becoming known or revealed. In literature or art it is typically referred to as an intentionally vague style employed to imply or demonstrate superior intellect or skill.

Occupational fibrotic lung disease: A generic term for a large group of preventable interstitial lung diseases involving inflammation and scarring or fibrosis of the lungs. It can manifest via acute or chronic exposure to toxic chemicals, vapours, fumes, dust or particulates in the occupational environment.

Occupational health and safety management systems: A structured and systematic method for managing safety in an organisation.

Occupational health and safety policy: A statement of commitment and intent using principles, which reflect the organisation's approach to work health and safety.

Occupational lung diseases: A broad group of preventable lung conditions caused or exacerbated by acute or chronic exposure to toxic chemicals, fumes, vapours, dusts or particulates in the occupational environment.

Occupational respirable dusts: The particulate fraction of inhaled airborne particles in the occupational environment that penetrates beyond the terminal bronchioles into the pulmonary gas exchange region of the lungs.

Occurrence: A term from Professor Derek Viner's generalised time sequence model involving potential threats or damaging energy sources that may generate adverse consequences.

Glossary (cont'd)

Oil and gas reserves: Proven reserves with a reasonable certainty of recovery under existing political and economic conditions using contemporary technology.

Ontology: A branch of metaphysics dealing with the nature of being.

Operant conditioning: A behaviourist black box psychology process whereby behaviour is modified via reinforcement or punishment.

Operation Tomodachi: A humanitarian rescue and relief mission involving the USS Reagan following the tsunami and Fukushima nuclear power plant meltdown in Japan.

Operational excellence: The execution of business strategy more consistently and reliably than the competition, which is demonstrated by sustainable results.

Operational risk: A situation involving exposure to significant threats or extreme energy sources under typical operating circumstances, which may create substantial adverse consequences that endangers organisational existence.

Operator error: A pejorative and unhelpful term often decried by the late Trevor Kletz. It inhibits constructive action and is discreetly categorised in Professor James Reason's Swiss Cheese model as active failures.

Opportunity for improvement: Self-explanatory quality management systems terminology, frequently encountered following incident investigations, audits and risk management system reviews.

Ordinal or nominal scales: In descriptive statistics ordinal scales categorise the raw data into ranks or order and nominal scales merely use numbers as labels.

Organisational change: An important feature of most organisations and refers to any alteration that occurs in the total work environment. An organisation must be flexible towards change otherwise it will be confounded or extirpated by the forces of transformation.

Organisational codes of conduct: Protocols which enhance the corporate image via the establishment of superior values, behaviour standards and business practices, which are typically expected of its employees and other interested parties.

Glossary (cont'd)

Organisational culture: Often narrowly defined from a behavioural perspective as... *the way we do things around here*. However, the social psychological concept is much more discerning and perceptive. It is defined as a pattern of shared basic assumptions, which are collectively acknowledged to successfully challenge exogenous and endogenous risks and generate an implicitly acceptable response.

Organisational development: A systematic application and transfer of the principles of behavioural science and social psychology. It involves planned development, improvement and reinforcement of business structures, systems and processes to enhance organisational effectiveness.

Outcome: An element of occurrence following an event that culminates in adverse consequences.

Outcome analysis: A synonym for event analysis.

Overfitting: A statistical outcome analysis that corresponds exactly or too precisely to a particular data set, which may disregard additional pertinent information and fail to predict future observations reliably.

Oxalate kiln emissions: A source of volatile organic compounds and controversial community and public health issue involving the Alcoa Kwinana and Wagerup alumina plants in Western Australia.

Oxygen therapy: Medical treatment involving administration of supplemental oxygen.

Pandora's Box: An artifact from Greek mythology colloquially described as a can of worms and a process that once begun becomes increasingly complicated.

Pantglas junior school: The junior school engulfed by a thixotropic mass of coal tailings during the 1966 Aberfan disaster in South Wales resulting in the deaths of 116 schoolchildren and 28 adults.

Pareidolia: A psychological phenomenon causing people to see patterns in a random stimulus and allocating human characteristics to objects.

Pareto principle: Named after Italian economist Wilfredo Pareto and often termed the law of the vital few, which states that 80% of effects arise from 20% of causes.

Glossary (cont'd)

Particle size distribution: It is traditionally determined gravimetrically although laser particle size analysis is recommended for samples containing extremely fine particulates.

Passive engineering controls: An anticipatory control measure that requires no activation during any process that may lead to potential damage. Specific examples include fire resistant materials or cladding in buildings and guarding of moving components on plant and equipment.

Passive learning: Students are merely treated as receptacles of data and receive no feedback from their teacher or instructor.

Pastoral care: An ancient model of emotional and spiritual support found in all cultures and traditions.

Pattern based relationships: Applicable to the domain of emergence with increased levels of interaction and communication with active encouragement of dissent or diversity.

Pavlov's dogs: A colloquial term associated with the black box psychology stimulus response relationship and classical or respondent conditioning.

Payday loans: A prevalent feature of catabolic capitalism offering credit to the lumpenproletariat at extortionate interest rates.

Pearl industry: Pearling in Western Australia existed well before European settlement with coastal aborigines collecting and trading pearl shell with fishermen from Sulawesi.

Pecksniffian: Behaviour affecting benevolence or high moral principles originating from the traits of Seth Peckniff in the novel entitled *Martin Chuzzlewit* by Charles Dickens.

Pension schemes: Also known as superannuation funds and include any plan, fund or scheme which provides retirement income.

Peonage: A system where an employer compels a worker to pay off a debt with work.

Per ardua ad astra: The motto of the Royal Australian Air Force and loosely translated as..... *Through adversity to the stars.*

Perception of risk: The dominant subjective judgement that people make about the characteristics and severity of risk.

Glossary (cont'd)

Perfluorinated firefighting foams: In May 2018, the Joint Standing Committee on Foreign Affairs, Defence and Trade began an inquiry into pollution from polyfluoroalkyl substances used throughout Australian defence force air bases following complaints from several neighbouring properties.

Permit to work: An authorised administrative control measure confirming the place, time and method for a defined activity is acceptable. It is typically issued in accordance with standardised protocols and subject to compliance with an authorised procedure or method of work.

Personal protective equipment: A commonly encountered nostrum although it is the least effective method of protection for addressing occupational health and safety risks.

Perverting the course of justice: An indictable offence that carries a significant custodial sentence and is committed when a person prevents justice being served.

Pettifogging: An inordinate emphasis on trivial details.

Philanderer: A male person who frequently enters into casual sexual relationships with women.

Photoelectric sensors: Control measures frequently termed proximity sensors used in the safe guarding of machinery or more colloquially referred to as light curtains.

Phrenology: A pseudoscience which evaluated cysts or lumps on the skull to predict mental traits.

Piper Alpha: An offshore oil and gas production platform operated by Occidental Petroleum in the North Sea approximately 200 kilometres north-east of Aberdeen. On 6th July 1988 a series of gas explosions and fires destroyed the entire rig resulting in the deaths of 167 people.

Plan do check act (PDCA): A business systems model often referred to as the Deming or Shewhart cycle, which underpins quality, safety and environmental management systems.

Platinum or golden lifesaving rules: Another counterintuitive technique using autocratic and didactic language of priorities with an inordinate focus on compliance that generates blame and a culture of fear.

Poetics: The study of linguistic techniques in poetry and literature.

Glossary (cont'd)

Poker machines: Woolworths.... *The fresh food people* owns a substantial proportion of the Australian Leisure & Hospitality Group, which operates almost 13,000 poker machines across Australia with an estimated revenue of \$1.2 billion each year.

Policy capture: A situation where public decisions over policies are consistently or repeatedly directed away from public interest in support of hidden agendas. It exacerbates inequality and undermines democracy, economic growth and trust in government.

Political chicanery: Deception by artful subterfuge or sophistry.

Political corruption: The use of powers by government officials or network of contacts pertaining to their official duties for illegitimate private gain.

Political language: The use of public language to hide meaning and synonymous with doublespeak or Orwell's Newspeak in the dystopian novel 1984.

Pollution: The introduction of contaminants into the natural environment that cause adverse consequences or ecological change.

Polychlorinated biphenyls: Organic chlorine compounds that were frequently used as a dielectric or coolant in electrical equipment, carbonless copy paper and in heat transfer fluids.

Ponzi scheme: A fraudulent investment scam closely related to pyramid selling and promising substantial rates of return with minimal risk for gullible investors.

Populist politics: Synonymous with populism using carefully crafted doublespeak policies, which are juxtaposed against the elite but appeal to the laity.

Positive and negative performance metrics: An extensive range of upstream and downstream performance indicators, which monitor a system's inputs and outputs to validate its effectiveness in meeting defined objectives.

Positive and negative reinforcement: A common operant conditioning technique employed in the black box psychology of behaviour based safety.

Positive, level and negative systemic control: Performance monitoring techniques commonly employed in transport safety systems, which provide a trend analysis of system performance with a degree of control over time.

Glossary (cont'd)

Positivism: A doctrine that disregards metaphysics or theology and recognises only that which can be scientifically verified or mathematically substantiated.

Power distance index: A parameter from Hofstede's cultural dimensions theory that evaluates the degree to which the laity accept and expect an unequal distribution of power.

Power generation plants: An industrial facility for generating electric power typically equipped with one or more turbine generators, which convert mechanical energy into electrical power.

Powered mobile plant: Statutory legislation requires operators of specific powered mobile plant such as cranes and forklifts to hold a licence issued by the regulator following demonstration of competency using an independent and authorised third party.

Practical systems thinking: Analogous with systemic discernment as opposed to clockwork or mechanistic systematic thinking. It includes several principal methods of applied systems theory which include hard and soft system management and system failures.

Praise me: A histrionic personality disorder especially prevalent amongst female sociopaths.

Precariat: A portmanteau from precarious and proletariat and an undesirable feature of the gig economy and underemployment. It has generated an inchoate social class without any predictability or security, which has a significant impact on material and psychosocial welfare.

Precarious employment: A feature of the gig economy and synonymous with contingent labour, which is especially prevalent amongst migrants and other vulnerable workers.

Precautionary principle: A concept from German sociolegal traditions in the 1930s, which aligns with the medical dictum...*First, do no harm*. It was formally summarised in the late 1990s and states if an activity raises threats of harm to human health or the environment, precautionary action should be taken even if some cause and effect relationships are not fully established scientifically.

Predatory lending: A feature of catabolic capitalism, which includes payday loans with extortionate interest rates.

Prescribe, police and punish: A Dickensian compliance and enforcement regime, which emerged in the United Kingdom during the early 19th century and remains prevalent throughout most developed countries.

Glossary (cont'd)

Prescriptive or performance based legislation: The polemic over prescriptive or performance based legislation has raged for many years. Evidence from the United States and Europe indicates both approaches are equally unsuccessful in securing the health and safety of people at work and the solution obviously lies elsewhere.

President of the Rich: An adversarial sobriquet from the Gilets Jaunes activists for the French president, Emmanuel Macron.

Pressure vessels: Containers designed to hold gases or liquids at pressures which are substantially different from ambient conditions. There are mandatory registration requirements for specific classes of vessels supplemented by regular inspection and maintenance protocols.

Principle based leadership: An organisational development concept where internal values form the basis of external actions.

Principles for transformation of management: A transformative total quality management process devised by W. Edwards Deming. It achieved phenomenal success and revolutionised post war industry in Japan with businesses such as Toyota, Sony and Fuji becoming household names and synonymous with quality.

Prevalence rate: Prevalence and incidence rates are used synonymously although there is a subtle epidemiological difference. Incidence measures the number of occurrences over a defined period whereas prevalence corresponds to the proportion of cases at a specific point in time.

Prevention: Efforts to improve a situation before it escalates out of control and generates adverse consequences resulting in injury, damage or loss.

Privatisation: The transfer of a business, industry or service from public to private ownership and control.

Privatised outsourcing: An increasingly prevalent neoliberal government strategy with commensurate risks and corroborated by the recent spectacular collapse of Carillion, a major transnational facilities management company in the United Kingdom.

Glossary (cont'd)

Privatising profit and socialising loss: A prevalent feature of casino capitalism with its winner takes all philosophy and best reflected by the recent staggering redistribution of costs associated with workplace injuries and disease.

Probability: A proportion of trials that produces an outcome. It is a number between 0 and 1, where zero denotes impossible and one means certain.

Probability, frequency and exposure: The three interrelated components of risk:

- a) Probability = frequency/exposure or $p = f/e$ expressed as consequences per trial
- b) Frequency = probability x exposure or $f = p \times e$ expressed as consequences per year
- c) Exposure = frequency/probability or $e = f/p$ expressed as trials per year

Proceeds of Crime Act 2002: It provides a scheme to trace, restrain and confiscate the proceeds of crime against Commonwealth law. In some circumstances it can also be used to confiscate the proceeds of crime against state or even foreign laws.

Process perception paradox: A recurring dilemma for process auditors involves the following four versions of how a process works:

- a) The way the current procedures states how it works
- b) The way management think it works
- c) The way it actually works in practice
- d) The way it is meant to be working

Process safety: A robust and disciplined framework for managing the integrity of operating systems and processes that use hazardous substances via the application of good design principles, engineering and operating practices.

Product safety recall protocols: The Australian Competition and Consumer Commission offers specific guidance covering consumer product safety recalls.

Production over protection: This is frequently reflected in many corporations via the dialectic between the Friedman doctrine and the primary object of work health and safety legislation.

Productivity: Defined as production per unit of time and its relationship with safety is diffuse, probabilistic and certainly not deterministic.

Glossary (cont'd)

Profession: A distinguished and disciplined group of people with specialist knowledge and skills typically beholden to a professional code of ethics.

Professional: The definition is typically applied in the sporting arena and includes any individual who is distinguished or exceptionally skilled in a particular discipline. However, it carries much greater significance and assurance in many vocations such as law, medicine and teaching.

Professionalisation: A social process by which any trade or occupation transforms itself into a profession of the highest integrity and competence.

Progressive massive fibrosis: The development of large conglomerate masses of dense fibrosis, which complicates occupational lung diseases such as silicosis and coal workers' pneumoconiosis.

Propaganda: Information used primarily to influence an audience and further an agenda using repetitive, selective and distorted language.

Prostitution: The oldest profession.

Protect the writer: The current tyranny of bureaucracy associated with work health and safety does not secure the health and safety of people at work and merely affords a superficial sense of protection to the writer by deflecting blame.

Provisional improvement notices: An administrative process for improving workplace health and safety.

Psychoanalysis: A study of the subconscious or unconscious mind via a set of theories and therapeutic techniques, which offer a method of treatment for mental health disorders.

Psychometrics: A study covering theory and technique of psychological measurement, which includes objective measurement of skills, knowledge, abilities, attitudes and personality traits.

Psychosocial disorder: A mental illness caused or influenced by life experiences and often aggravated by maladaptive cognitive and behavioural processes.

Psychotherapy: The treatment of mental disorders by psychological treatment rather than medical techniques.

Psychopathocracy: A portmanteau describing the psychopathic and plutocratic attributes of a corporation.

Glossary (cont'd)

Public health: The science and art of preventing disease, prolonging life and promoting human health via organised efforts with informed choices involving society, public and private organisations, communities and individuals.

Public hearing: Part of a public inquiry process providing interested parties with opportunities to expand on written submissions. It enables individuals to discuss inquiry issues with commissioners in a public forum. Any organisation or person can attend a hearing to address a submission or simply observe the proceedings.

Public interest: The welfare or contentment of the general public and society.

Public perception of risk: The subjective judgement that people make about the characteristics and severity of a risk.

Pulmonary fibrosis: A chronic and progressive lung disease that scars and hardens the alveoli, which impairs breathing and inhibits diffusion of oxygen into the bloodstream.

Purchasing: Safe Work Australia model legislation codifies duty of care principles which extend to designers, suppliers and importers. Specification criteria covering work health and safety requirements must be integrated into the purchasing of goods and services.

Purposeful control: The control of a system using specialised arrangements and communication pathways in an organised manner.

Pursuit of perfection: An obsession that can hinder progress and create psychosocial disorders.

Pyramid selling: It is an offence under Australian Consumer Law to participate in a pyramid selling scheme or inveigle others to participate in the process.

Quality assurance: The maintenance of a desired level of quality in a service or product, especially by means of attention to every stage of delivery or production processes.

Quantitative easing: The introduction of new money into an economy by a central bank to prevent or ease stagflation.

Quantitative risk analysis: A formal process using fault tree and event analysis techniques that provides estimates of probabilities with a quantitative denomination such as units of currency per time period (\$ per year).

Glossary (cont'd)

Quantitative risk estimation: A direct estimation of the magnitude of risk using statistical data or judgement.

Quantum mechanics: A fundamental theory in physics which describes the nature of subatomic particles at micro energy levels.

Quartz: The second most abundant mineral in the earth's crust commonly termed silicon dioxide or silica.

Quasi-criminal: A term often applied to occupational health and safety legislation, which has several legal features of strict criminal statutes but not all the rigorous aspects.

Quis custodiet ipsos custodes: Who is guarding the guards?

Race to the bottom: A socioeconomic phrase used to describe government deregulation of the business environment, which typically includes a reduction in tax rates to attract or retain economic activity in the respective jurisdiction.

Radioactive materials: Unstable isotopes of chemical elements with an imbalance of neutrons and protons.

Radium Girls: Female factory workers who contracted radiation poisoning from painting watch dials with Undark, a radioactive luminous paint containing radium.

Radon: A naturally occurring radioactive, colourless, tasteless and odourless noble gas.

Ragged trousered philanthropists: A semi-biographical novel by Irish author Robert Tressell, published posthumously following his death from tuberculosis in 1911.

Rational choice: A economic principle assuming individuals always make prudent and logical decisions that provide them with the highest amount of personal utility.

Rational decision making: A process favouring analytical evaluation using objective data rather than relying on subjective intuition.

Reactive: An impulsive and perceptive response to control risks following incidents.

Reactive performance metrics: These typically include total recordable injury frequency rates, which are merely counting and not measuring. It is an ex post facto metric, statistically unreliable and disguises the inverse relationship between frequency and consequence value.

Glossary (cont'd)

Reason's model of systems safety: A complex linear model which transfers the locus of causation to a constructive analysis of behaviour and decision making based on the enabling and prevailing conditions.

Reasonable person: A legal and subjective construct, which tests whether an individual or organisation behaved in an acceptable manner under particular circumstances. The attributes include a common awareness, care and concern for the welfare of people with an ability to ensure risk is reduced via proportional controls.

Reasonably practicable: A legal requirement for employers under occupational health and safety legislation.

Recipient: An asset exposed to energy during its transfer in the energy damage process.

Red beads experiment: A classic experiment from W. Edwards Deming on system failures and common cause variation.

Red tape: A colloquial phrase for bureaucracy.

Rede lecture: An annual lecture at the University of Cambridge that included C. P. Snow's influential *The Two Cultures*, which was delivered in 1959. It contended that intellectual life throughout western societies was split into two distinct cultures of sciences and humanities, which was a major impediment to solving the world's problems.

Redundancy mechanisms: An engineering control typically installed on manufacturing plant such as conveyors, palletisers or other packaging machinery to prevent access into defined exclusion zones and inadvertent activation of equipment.

Reflective foil laminate: A conductive material used extensively throughout the controversial home insulation program in Australia.

Regional brokerage model: A proposed scheme for delivery of the home insulation program in Australia that was abandoned in favour of an expeditious market rebate model.

Registered installers: Organisations independently accredited and registered to install insulating material under the controversial home insulation program in Australia.

Registered training organisations: Providers registered with the Australian Skills Quality Authority or by state regulators to deliver vocational education and training.

Glossary (cont'd)

Regression toward the mean: A misinterpretation of statistical data resulting in false inferences.

Regulatory capture: A form of government failure, which occurs when its regulatory bodies that serve public interest foster the commercial and political objectives of special interest groups or lobbyists within the industrial sector it regulates. It is often exacerbated by an enigmatic network of revolving doors and golden escalators.

Regulatory reform: Improvements to the quality of statutory legislation.

Regulatory responses: The range varies between self-regulatory and prescriptive compliance and enforcement based regimes, which are influenced by the incumbent government policies.

Rehabilitation: Statutory workers' compensation and injury management schemes prescribe requirements covering rehabilitation, which is a progressive process that assists individuals to recover from workplace injury, illness or disease.

Relative control: A term often encountered in domestic aviation transport safety systems and often described using incidence rates such as fatalities per passenger miles flown.

Reliability: A term applied to individuals or any item of plant and equipment. If reliability is high then the probability of specific equipment malfunctioning or human error is low. It is defined mathematically as one minus the probability of failure ($r = 1 - p$).

Religion: The science over religion polemic has raged for many centuries. Indeed, science without religion is lame and religion without science is blind.

Religious artefacts: Contemporary items that provide a beguiling impression of a religion.

Renewable Energy Bonus Scheme: An Australian federal government initiative devised to replace the defunct home insulation program.

Rent seeking: Economics terminology from public choice theory that involves attempts to increase personal share of wealth without creating new wealth.

Representative democracy: Elected officials representing the interests of their electorate although it often degenerates into an elective dictatorship.

Requisite variety: Often termed Ashby's first law of cybernetics and succinctly described as only variety can destroy variety.

Resilience: The capacity to recover from adverse situations.

Glossary (cont'd)

Resolving: A common and often counterproductive soft systems change management technique described by Russell Ackoff, which typically involves simple draconian solutions to resolve complex problems using tenuous cause and effect ideology.

Respect: A due regard for the feelings, wishes or rights of others.

Respirable particulates: Inhaled airborne particulates that penetrate beyond the terminal bronchioles into the alveolar region of the lungs.

Respiratory pleural cancer: A generic medical term, which encompasses mesothelioma. This creates a range of respiratory complications such as pleural effusions and atelectasis arising from exposure to asbestos dust.

Retrospective judgement of convenience: Apposite terminology summarising the allocation of liability under the current adversarial legislative framework supported by a carousel of culpability.

Return to work: A statutory requirement under workers' compensation and injury management legislation, which advocates a prompt return to normal duties or provision of suitable, meaningful and alternative employment.

Revolving doors: A term interconnected with golden escalators and redolent of regulatory capture. It colloquially describes the prolific job swapping or bed hopping antics of Australian public servants and industry lobbyists.

Risk: It is formally defined from a risk management perspective as the effect of uncertainty on objectives, which encompasses speculative risk. However, pure risk is concerned solely with the likelihood of undesirable consequences with a focus on the interrelationship between probability, frequency, exposure and consequence value.

Risk - acceptable: A risk is considered acceptable if it satisfies specific criteria which include:

- a) Controls fulfil statutory requirements
- b) The standard of controls satisfies any moral prerequisites
- c) Risk agents are comfortable with the risk and it is subjectively accepted without the suppression of knowledge, especially regarding its potential for harm
- d) Additional improvements in risk controls are constrained by diminishing returns and the cost is considered inappropriate

Glossary (cont'd)

Risk - critical: A general risk with serious or extreme consequence values.

Risk - general: Risks arising from exposure to commonly encountered threats or energy sources that are typically controlled via standard industrial applications.

Risk - voluntary: A situation involving voluntary exposure by the risk agent. It is often associated with recreational activities such as mountaineering, hang gliding or rock fishing.

Risk - operational or material: A situation involving exposure to significant threats or extreme energy sources under typical circumstances, which may create substantial adverse consequences that endangers organisational existence.

Risk - pure: A risk involving undesirable consequences.

Risk - residual: Following implementation of recommended controls it implies that some risk remains although zero risk by definition is a misconception and unachievable.

Risk - speculative: A risk involving desirable or adverse consequences, which is especially pertinent to financial investment decisions or gambling.

Risk - tolerable: An assumed level of risk that a risk agent is able to withstand.

Risk acceptance: An option that emerges from the risk evaluation process and considers the risk is acceptable without any need for additional requirements or control measures.

Risk agent: An individual or group that may experience adverse consequences of a risk.

Risk analysis: A structured empirical technique covering possible trajectories of a defined process that may generate adverse consequences. It allows synthesis and estimation of the components of risk, which include frequency and the value of adverse consequences.

Risk and energy damage theory: A convergence of the work from Haddon, Gibson and Rowe with Professor Derek Viner's extended energy damage and generalised time sequence model.

Risk assessment: The process of identifying risks and establishing their significance supported by recommendations for proportional control measures.

Risk aversion: An option emerging during the risk evaluation process, which involves a decision to reduce the risk using improved control measures or eliminate exposure via risk avoidance.

Risk avoidance: A risk aversion strategy evolving from the risk evaluation process. It entails removal of potentially damaging energy sources or curtailing exposure.

Glossary (cont'd)

Risk control - systemic: A paradigm extending beyond organisational boundaries, which encompasses educational establishments, regulatory authorities, legislators, suppliers and designers with a collective intent to reduce and control risk. It is a prominent feature of the German industry association scheme or Berufsgenossenschaften.

Risk control: Several common synonyms include risk mitigation or risk reduction, which can be defined as any control measure that influences the consequence value or its frequency of occurrence, which can also reduce:

- a) The probability of a mechanism
- b) The probability of an outcome
- c) The probability of a specific type and value of an adverse consequence
- d) Exposure to the circumstances and conditions pertaining to the consequence

Risk control standard: A synonym for hazard management standard that prescribes the standard to which a risk must be managed and includes physical and organisational control measures.

Risk diagram: A graphical logarithmic representation covering the relationship between frequency and consequence value for a specific risk.

Risk estimation: The process of estimating the frequency and consequence value of a risk. The values are merely estimated because many variables render precise quantitative and objective evaluation virtually impossible.

Risk evaluation: Comparison of the rewards or disadvantages of experiencing a risk against the benefits or losses of taking action to reduce or control the risk.

Risk factor: Defined as anything that influences the principal elements of risk, which include frequency, probability, exposure and consequence value.

Risk identification: Any technique used to recognise the existence of a risk using suitable descriptors, which render it meaningful in the risk assessment process.

Glossary (cont'd)

Risk management: A structured process covering risk identification, establishing significance and implementing proportional controls. It also involves regular maintenance of controls with periodic reviews to confirm standards align with contemporary technology, fulfil existing statutory requirements and meet community expectations.

Risk management plan: A statement of the policy, objectives and strategies that underpin risk management activities.

Risk management system: An established, structured and systemic process to manage risk within an organisation.

Risk matrix: A simple qualitative tool using nominal and ordinal interval scales to estimate probability and consequence. It often generates unreliable or implausible outcomes, which are inexplicably used to support rational decision making.

Risk perception: The dominant subjective judgement that people make about the characteristics and severity of risk.

Risk register: An inventory detailing identified organisational risks and liabilities, which establishes the foundations of a risk management program.

Road to serfdom: A book from Friedrich Hayek, an Austrian economist promoting minimal government interference in economic decision making, which aligns with the concept of laissez faire economics.

Robens report: A report on occupational health and safety management, which was a precursor to the reform of health and safety at work legislation in the United Kingdom. It codified duty of care principles of common law and recommended a self-regulatory and consultative approach between employers and employees.

Root cause: The origin on the cause-effect continuum that triggered the sequence leading to an occurrence and a primary objective of root cause analysis.

Root cause analysis: A cause and effect funnelling technique with repetitive probing via the question why and obtaining a satisfactory response until it is no longer possible to extrapolate a meaningful explanation or relationship in the quest for a root cause.

Rote learning: An indoctrination process, which treats students as receptacles of data.

Glossary (cont'd)

Sacred mantras: Counterproductive features of accident theory littered with the language of priorities. Common examples include the pestilential *Zero harm* often supplemented by *All accidents are preventable*, *Safety is our No. 1 priority* or *Safety is a choice you make*.

Safe: An acceptable level of risk.

Safe place approach: An objective of risk control via the hierarchy of controls.

Safe Work Australia: A federal statutory agency established in 2008 to develop national policy relating to work health and safety and workers' compensation.

Safe Work Australia Act: Commonwealth legislation which established Safe Work Australia, a statutory agency to improve occupational health and safety outcomes and workers' compensation arrangements in Australia.

Safe work method statements: An administrative requirement covering high risk construction work under the Safe Work Australia Model Regulations, Part 6.1, Clause 291.

Safety and productivity: Productivity is defined as production per unit of time and its relationship with safety is diffuse, probabilistic and certainly not deterministic.

Safety climate: Synonymous with safety culture and rather narrowly defined as shared perceptions about the working environment and organisational safety policies.

Safety cult: A quasi-religious sect that dominates the industrial safety sector. It inculcates an ideology of zero harm and denial of fallibility with an inordinate emphasis on compliance supported by reactive metrics, propaganda, pettifogging and a tyranny of bureaucracy.

Safety culture: A term often narrowly defined from a didactic and behaviourist perspective as.... *The way we do things around here*.

Safety curriculum: A curriculum is a teleological schema that portends its industry's future and predicts its trajectory. The contemporary safety curriculum is a cultural reproduction process and students are merely receptacles of data or information, which is underpinned by immature binary oppositional logic, objectivism and an inherent lack of discernment.

Safety - intrinsic: A term applied to electrical equipment which involves suitable protection techniques to prevent the equipment becoming an ignition source, especially in electrically classified hazardous areas where there is a potential for flammable or explosive atmospheres.

Glossary (cont'd)

Safety differently: An alternative approach that merely regurgitates the blame the system or victim dichotomy in an attempt to anthropomorphise the tyranny of bureaucracy.

Safety incentive schemes: Counterproductive rewards or bonus schemes linked to reactive performance metrics that measure success using failure, which inveigle employees to change their attitudes or manipulate data.

Safety Institute of Australia: National association for the health and safety profession?

Safety is our No. 1 priority: A beguiling, counterintuitive and often insincere safety slogan or sacred mantra that is typically displayed at site entrance gates.

Safety management plans: A prescribed administrative statutory requirement under the model work health and safety legislation for principal contractors on construction projects.

Safety management system: A structured and systematic method for managing safety in an organisation.

Safety professional certification scheme: A Safety Institute of Australia program covering certification of the generalist occupational health and safety profession, which acknowledges the capability and credibility of safety practitioners or professionals via a combination of their education and work experience.

Safety slogans: A redolent feature of accident theory consisting of beguiling sacred mantras that are frequently displayed at site entrance gates and on toilet doors or bathroom mirrors across projects and even embroidered into high visibility clothing.

Sandstone: A clastic sedimentary rock typically consisting of quartz or feldspar, which are both silicates and potential sources of respirable crystalline silica.

Sanguma: A local phrase referring to sorcery or witchcraft, which is illegal although commonly used amongst numerous Papua New Guinea communities.

Satisficing: A decision making strategy or cognitive heuristic that seeks suitable alternatives to fulfil acceptable criteria.

Scapegoat: The concept has its genesis in Leviticus and is defined as a person or animal which shoulders the sins of others and is often unfairly blamed for emerging problems.

Glossary (cont'd)

Scheme for Compensation for Detriment caused by Defective Administration: An Australian federal government arrangement based on moral principles to assist businesses affected by the sudden termination of its home insulation program.

Science versus religion: The polemic has raged for many centuries and is often summarised via Einstein's maxim.....*Science without religion is lame and religion without science is blind.*

Severity: It is often described via qualitative descriptors such as minor, major, disastrous or catastrophic and is synonymous with consequence value.

Scientism: An ideology that promotes science as the absolute objective means by which society should determine normative and epistemological values.

Scientology: A body of religious beliefs and practices founded in the United States, which promotes the concept of dianetics.

Silicosis: A preventable lung disease caused by excessive exposure and inhalation of respirable crystalline silica dust.

Self-insurance: Statutory workers' compensation legislation in Australia enables certain organisations to cover workplace health and safety risks via prescribed self-insurance arrangements.

Self-regulatory approach: A technique initially advocated in the Robens report, which involves a voluntary scheme whereby regulated entities are required to comply with legislation, codes of practice or principles that describe expected industrial sector standards.

Semiotics and semiosis: The study of sign systems and significance, which is critical in the interpretation of how the unconscious influences existence in a stochastic and ambiguous environment.

Serpentine asbestos: An asbestiform mineral with a layered structure, which includes chrysotile or white asbestos, the only serpentine form of the mineral.

Shell drift diving: A particularly high risk underwater activity used in open water pearl diving.

Glossary (cont'd)

Silica: An oxide of silicon with the chemical formula SiO_2 most commonly encountered as quartz or feldspar. It is a major component of structural materials including cement and concrete. Acute or chronic exposure to respirable crystalline silica can cause serious lung damage resulting in silicosis and autoimmune disorders.

Simulated evacuation drills: Exercises which are regularly performed to demonstrate effectiveness of emergency response and evacuation plans, especially in high risk industries such as major hazard facilities, petrochemical plants and underground coal mines.

Single loop training: Synonymous with adaptive learning with the application of rules and procedures to address symptoms. It often involves rote learning or indoctrination and students are merely treated as receptacles of data.

Sink housing estates: A description of British council housing estates characterised by high levels of economic and social deprivation.

Site senior executive: A statutory role under Australian mining legislation.

Situated learning: A theory covering individual acquisition of professional skills, which extends to research on apprenticeships and legitimate peripheral participation leads to membership in a community of practice.

Situationist International: A global organisation of social dissidents consisting of avant-garde artists, intellectuals, and political theorists, which was particularly active throughout Europe during the 1960s.

Six weapons of persuasion: An influential motivational strategy devised by Dr. Robert Cialdini, consisting of six elements, which included reciprocity, social proof, liking, authority, scarcity and commitment with consistency.

Skinner's experiments: Operant conditioning experiments using rodents conducted by B. F. Skinner to demonstrate stimulus response relationships.

Slate: A fine grained foliated homogeneous metamorphic rock, which was mined extensively throughout Blaenau Ffestiniog in North Wales during the late 19th century. Many of the miners contracted silicosis, which was misdiagnosed as tuberculosis and attributed to prevailing unsanitary social conditions.

Glossary (cont'd)

Sloganeering: A term associated with indoctrination using insincere language of priorities, which is frequently inculcated during site safety inductions.

SMART approach: A mnemonic describing criteria for performance indicators, which should be specific, measurable, achievable, relevant and time bound although it is often misapplied.

Social amplification and attenuation of risk: A theory and framework that recognises how institutions and structures process risk and the impact of social interactions, which amplify or attenuate public response.

Social atomisation: An increasingly prevalent tendency whereby the individual becomes the fundamental unit of analysis for all the implications of social life. It has generated escalating inequality with a global epidemic of loneliness and solipsism.

Social cleansing: Direct or indirect tactics, which force undesirable aliens, citizens or races to leave selected regional areas or residential suburbs of major towns and cities.

Social engineering: Concerted efforts from governments, private groups or the media which influence attitudes or social behaviours and create desired attributes in a targeted population. It has recently gained increasing momentum via the behavioural economics concept of nudge theory.

Social or moral responsibility: The status of morally deserving praise, blame, reward or punishment for an act or omission performed or neglected in accordance with one's moral obligations.

Social psychology: A branch of psychology covering the impact of social arrangements on decision making and judgement.

Social sense making: A process by which people assign meaning to their collective experiences with particular attention to ambiguity and uncertainty. It is defined as the continual retrospective development of plausible images to rationalise people's actions.

Socialising loss and privatising profit: This refers to the increasingly common practice of treating corporate earnings as the rightful property of their shareholders and allocating losses as a social responsibility, which society must tolerate, typically via taxpayer subsidies or government bailouts. It is pejoratively termed lemon socialism or casino capitalism.

Glossary (cont'd)

Socialism: A political and economic theory of social organisation advocating the communal ownership and regulation of production, distribution and exchange of goods and services.

Socially constructed risk: Anthropology or sociology approaches to risk suggest risk is inherently subjective and manipulated via collectivism, individualism, egalitarianism and fatalism, which are socially constructed by institutions and cultural beliefs.

Societal risk criteria: The establishment of discrete estimates covering the probability of catastrophic incidents with multiple fatalities at major onshore or non-nuclear hazardous facilities.

Society of the Living Dead: A term used by the Radium Girls in their quest for justice in the United States following exposure to radium at work during the painting and assembly of clockfaces, watches, compasses and other military instruments.

Sociobiology: Scientific study based on the assumption that social behaviour is evolutionary and explained, examined and evaluated within that context.

Sociopathic leadership and traits: Disturbing evidence suggests many of the traits typically associated with leadership reflect and align with the tyrannical behaviour of sociopaths or psychopaths. This includes egocentric, grandiose and aggressive behaviour supported by charisma, which is increasingly prevalent amongst female executives.

Sociotechnical systems: An organisational development theory recognising the interaction between people and technology in the workplace and the relationships of individuals or groups with social networks, infrastructure and its influence on behaviour.

Soft landing: A risk engineering term covering failure and resilience of industrial plant and equipment. If a device malfunctions the system automatically shuts down without causing any significant damage to the auxiliary equipment or the process.

Soft power: The ability to shape the preferences of others through appeal and attraction and its most prevalent feature is diplomacy via a persuasive currency of culture, political values, and foreign policies.

Soft systems: An organisational development term synonymous with human activity systems.

Soixante-huitard movement: A group of dissident activists formed during the 1968 political uprising, which involved almost 11 million students and workers across France.

Glossary (cont'd)

Solipsism: A view or theory that the self is all that can be known to exist.

Solving: A soft systems solution described by Russell Ackoff as scientific, objective and extremely reliant on research based evidence that can produce more questions than answers if it is incorrectly applied.

Sorcery: A common and illegal practice in Papua New Guinea and often referred to as sanguma.

Soteriology: The doctrine of salvation.

Sous les pavés la plage: A neologism from the French student uprising in Paris during 1968, which translates as.....*Under the paving stones the beach.*

Space transfer mechanism: A term from Professor Derek Viner's extended energy damage generalised time sequence model describing the process by which energy travels through space.

Spaghetti western: A term used to describe the Australian federal government's disastrous home insulation program, which referred specifically to the proliferation of rogue installation companies and redneck subcontractors.

Specified health conditions: A restriction from the Department of Veterans' Affairs placed on victims claiming compensation following exposure to hazardous chemicals at the Royal Australian Air Force Amberley air base during the F-111 jet fighter deseal reseal program.

Speculative risk: A risk giving rise to adverse or desirable consequences, which includes gambling or financial investment decisions.

Spirometry: A diagnostic medical technique used in coal mining medicals to measure functional capacity of the lungs.

Square the circle: The challenge of constructing a square with the same area as a given circle using only a finite number of steps with a compass and straightedge and colloquially termed as attempting the impossible.

SR51 and SR51A desealants: Toxic chemical solvents used during repair of leaking F-111 jet fighter fuel tanks at the Royal Australian Air Force Amberley jet base.

Stagflation: An economic portmanteau of stagnation and inflation, which creates a dilemma for economic policy because lowering inflation usually escalates unemployment and vice versa.

Glossary (cont'd)

Standard of controls: Under occupational health and safety legislation there is no explicit requirement to estimate the magnitude of specific risks. However, the standard of controls must be proportional to the associated risks.

Standard operating procedures: An administrative control measure, which invariably offers more protection to the worker by deflecting blame.

State and corporate interests: The contemporary sociopolitical environment is underpinned by free market fundamentalism, which is merely a merger of corporate and state interests with redolent symptoms of regulatory and policy capture.

Statistical significance: The likelihood a relationship between two or more variables is caused by something other than chance.

Statutory authority: A body established by law and authorised to enact legislation on behalf of the relevant state or country.

Statutory independence: A statutory body that performs its functions without excessive ministerial influence.

Stonemasons: One of the oldest trades in human history. It involves creating buildings, structures and sculptures using an extensive range of hand tools and powered equipment, which can generate excessive dust and exposure to respirable crystalline silica.

Strategic and tactical management of risk: A structured process covering risk identification, establishing significance and implementing proportional controls. It also involves regular maintenance of controls with periodic reviews to confirm standards align with contemporary technology, fulfil existing statutory requirements and meet community expectations.

Strategic Priorities and Budget Committee: A federal government body responsible for authorising the home insulation program market rebate model.

Strontium chromate: A corrosion inhibitor and toxic chemical used in the Royal Australian Air Force Amberley air base desal reseal program.

Structuralism: A doctrine which implies that structure usurps function.

Study of ethics: A branch of philosophy that involves codifying, defending and determining concepts of ethical and unethical conduct.

Glossary (cont'd)

Subjective risk: The dominant judgement people make about the characteristics and severity of risk.

Subjective speculation: An assessment of risk underpinned by emotion.

Substance abuse: A substance related disorder typically involving alcohol and other drugs.

Sufficient or necessary cause: A sufficient cause is one way the specified effect may arise although it is not the only means whereas a necessary cause always and only creates the specified effect.

Suicide: The act of intentionally causing one's own death and the overall rate in Australia, according to data from the Australian Bureau of Statistics in 2015, exceeds eight deaths per day with over 65,000 attempted suicides each year.

Suitable duties: The provision of suitable and meaningful alternative duties is a statutory requirement under workers' compensation and injury management legislation in Australia.

Supply and demand: Basic economics terminology whereby supply represents how much the market can offer and demand refers to the quantity of goods or services wanted but not needed by buyers.

Supply chain logistics: A generic term covering organisational activities, which encompasses the manufacture, procurement and distribution of goods and services.

Supply of goods and services: Duty of care under occupational health and safety statutes extends to the supply of goods and services across all jurisdictions in Australia.

Surat-Bowen basin: A major coal producing region in the Australian state of Queensland.

Surveillance audits: A process in the JAS-ANZ scheme involving a series of annual surveillance audits pending recertification.

Sustainable Minerals Institute: A University of Queensland research institute focused on understanding and implementing the principles of sustainable development via engagement with the mining, minerals and resources sector.

Swinging sixties: An adolescent inspired cultural revolution that emerged across the United Kingdom during the 1960s.

Glossary (cont'd)

Swiss cheese model: A linear accident incident investigation model developed by Professor James Reason promoting the multifactorial concept of causation via a combination of latent conditions and active failures.

Systemic risk control: A paradigm extending beyond organisational boundaries, which encompasses educational establishments, regulatory authorities, legislators, suppliers and designers with a collective intent to reduce and control risk. It is a prominent feature of the German industry association scheme or Berufsgenossenschaften.

Systems engineering: An interdisciplinary approach involving the design and management of complex systems over their entire lifecycle.

Tacit knowledge: Acquired skills, ideas and capabilities, which are not codified or easily expressed.

Take five processes: A basic risk assessment typically used for activities that are not covered by safe work method statements, a job safety analysis, standard operating procedures or safe work instructions.

Talcum powder: An extremely soft clay mineral consisting of hydrated magnesium silicate. It is commonly used as baby powder although recent media reports and successful class actions in the United States suggest some domestic brands could be contaminated with asbestos.

Tammany Hall: A rotten democratic party political machine that controlled government politics throughout Manhattan and New York state over many decades.

Task hazard analysis: Another bureaucratic risk management process often used in an otiose attempt to demonstrate due diligence or allocate blame.

Tax evasion: The company tax rate in Australia is typically 30% and almost one third of companies listed on the Australian Securities Exchange have an effective company tax rate of less than 10% in Australia.

Taylorism: More commonly termed scientific management and named after Frederick Winslow Taylor. The principal objective involved improving economic efficiency and productivity via the application of science to management and engineering of processes.

Glossary (cont'd)

Technopoly: A portmanteau from Neil Postman, which describes the surrender of culture to technology. It is defined as a society in which technology is deified and eventually provides purpose and direction for the state, communities and individuals.

Telecommunications: Transmission of signs, signals, messages, words, writings, images and sounds or information using wire, radio, optical or other electromagnetic systems.

Ten countermeasures: An objective process related control strategy based on the principles of energy damage developed by Dr. William Haddon. It offers an alternative to the hierarchy of controls and separates the agent or energy source from the host at each stage of the sequential process leading to injury, damage or loss.

Terms of reference: An inclusive scope which describes or defines the purpose and structure of a parliamentary inquiry, project team, committee or similar groups that have willingly collaborated to accomplish a shared goal.

Terrorism: The unlawful use of violence and intimidation against civilians in the pursuit of political aims.

The book within and the book without: A term from mysticism offering an explanation covering the religion over science dichotomy.

The cost of workplace injury and disease: Work related injuries, illnesses and fatalities impose direct and indirect costs on employers, employees and the community. The costs are estimated using a methodology developed by the former National Occupational Health and Safety Commission.

The Cullen Report: The first report from William Cullen followed the public inquiry into the Piper Alpha oil rig disaster in 1988. Lord Cullen also chaired inquiries into the 1996 Dunblane primary school massacre and the 1999 Ladbroke Grove rail inquiry.

The Feres Doctrine: A principle blocking claims against the US federal government by members of the armed forces and their families for injury or illness arising from or incidental to military service.

The great depression: A severe worldwide economic recession during the 1930s, which began in the United States following the stock market crash on Wall Street in October 1929.

Glossary (cont'd)

The Jungle: A novel from Upton Sinclair depicting the exploitation, deprivation and despair amongst vulnerable Baltic migrants during their quest for work throughout the Chicago stockyards, abattoirs and meat packing plants at the turn of the 20th century.

The moral argument of law: In most western developed countries this is underpinned by the duty of care principles of common law, which provide guidance on the responsibilities that people have towards each other.

The scientific method: An empirical technique of acquiring knowledge, which involves careful scrutiny with the application of rigorous scepticism about the observations and it teaches us nothing else beyond how facts are related to and conditioned by each other.

The Shingo model: A paradigm describing the ten guiding principles of operational excellence, which are categorised into four dimensions and include cultural enablers, continuous process improvement, enterprise alignment and results.

The town of the living dead: A community epithet applied to Gauley Bridge in West Virginia, which housed hundreds of labourers from across the United States during the great depression. Many of the itinerants suffered agonising deaths from accelerated silicosis following construction of the Hawks Nest tunnel in the early 1930s.

The Truth: An egregious, insensitive falsehood published by Kelvin MacKenzie, which appeared in a tabloid press front page headline immediately following the Hillsborough stadium disaster in 1989.

Theatre of law: A description of the legal system from Professor Phil Scruton during the prolonged quest for justice following Hillsborough.....*The theatre of law has very little to do with the discovery of truth or realisation of justice.*

There is no such thing as society: An aphorism from the late Margaret Thatcher.

Think tank row: An epithet for Massachusetts Avenue, near Capitol Hill in Washington DC and the headquarters for many transnational conglomerates and corporate lobbyists.

Thiophenol: A putrid aromatic organosulfur compound used as an antifungal agent during the Royal Australian Air Force Amberley air base deseal reseal maintenance program.

Glossary (cont'd)

Thoracic: Defined as pertaining to the chest or thorax. Dust sampling or monitoring protocols refer to the thoracic dust as the mass fraction of inhaled particles penetrating beyond the larynx.

Threat: A source of potential loss.

Time and motion studies: A business efficiency technique typically applied to repetitive tasks and tractable processes developed by Frederick Winslow Taylor.

Time sequence model: A paradigm from Professor Derek Viner describing the evolutionary risk based process leading to injury, damage or loss.

Tolerable risk: An assumed level of risk that a risk agent is able to tolerate or endure.

Toluene: An aromatic hydrocarbon solvent also termed methyl benzene used during the Royal Australian Air Force Amberley air base deseal reseal maintenance program.

Tonton Macoutes: A paramilitary special operations group in Haiti formed by Francois Papadoc Duvalier to suppress political opposition via systematic violence and abuse of human rights.

Too big to fail: An economic theory advocated by Paul Krugman that some institutions are so important and influential they should be protected via beneficial economic and fiscal policies from governments or central banks.

Top coal caving: An innovative longwall underground mining technique applicable to very thick coal seams. It provides significant increased recovery with only incremental additional costs although it can generate excessive amounts of respirable coal dust and other particulates.

Tort of negligence: A civil wrong suffered by someone at the hands of another who fails to take sufficient care to avoid what a reasonable person would regard as a foreseeable risk.

Total cost of risk: The sum of investment efforts to prevent damage or loss plus reactive costs of responding to an occurrence and its consequences.

Total quality management: A systematic management technique developed by W. Edwards Deming using the plan do check act cycle. It is based on the principle that every employee must be committed to maintaining high standards of work in every aspect of a company's operations.

Glossary (cont'd)

Totalitarianism: An extreme form of state oppression that restricts individual opposition and exercises an inordinate degree of control over public and private life with an inordinate and repetitive use of propaganda.

Tow truck operators: Statutory legislation in Australia prescribes responsibilities of certified tow truck driver and their assistants.

Toxic: A substance is categorised as toxic if it has an adverse effect on the performance of a biological system following exposure, which typically occurs in people via ingestion, inhalation, injection or absorption.

Tractable processes: Simple repetitive and highly automated systematic operational activities requiring minimal cognitive effort or ability.

Trading liquidation: The process of bringing a business to an end and distributing its remaining assets to claimants.

Training and competency: Statutory occupational health and safety legislation prescribes requirements covering training and competency, especially for designated high risk activities including construction work and operation of powered mobile plant.

Training needs analysis: A preliminary phase of a training strategy that decides whether training with specific competency requirements will assist in tackling occupational health and safety risks.

Transdisciplinarity: A holistic approach from Basarab Nicolescu, which explores the fertile middle ground or hidden third between the objective and subjective.

Transdisciplinary: An interdisciplinary approach, which accepts the coexistence of multiple contradictions and realities, some of which are unfamiliar to traditional physical sciences.

Transhumanism: A global philosophical movement advocating transformation of the human condition via sophisticated technology to advance human intellect and physiology.

Transport: Statutory legislation and the Australian Dangerous Goods Code cover national standards and requirements for the transport of dangerous goods by road and rail across Australia.

Tremolite: An amphibole asbestiform, which occasionally occurs as a contaminant in roofing and insulation materials.

Glossary (cont'd)

Trichloroethene: A toxic halocarbon commonly used as an industrial degreasing solvent and excessive exposure is linked to kidney and liver disorders.

Trickle-down economics: A sophism from Reaganomics advocating that taxes on the plutocracy should be reduced to stimulate short term business investment, which ultimately benefits the lumpenproletariat.

Tridymite: A high temperature polymorph of silica.

Triethylene glycol: A colourless and odourless viscous liquid often used as an antifreeze additive. It is used extensively in oil and gas processing facilities to absorb moisture and dehydrate natural gas streams before compression.

Tripartite arrangements: Federal legislation via the Safe Work Australia Act prescribes tripartite consultative arrangements. The membership of Safe Work Australia consists of federal and state government, employer and employee representatives engaged by ministerial appointment.

Triple loop learning: It is colloquially described as learning to learn and typically applies to tertiary education and requires extensive reflection and discernment.

Tuberculosis: A potentially serious infectious bacterial disease that mainly affects the lungs.

Two Cultures: A Rede lecture delivered in 1959 by C. P. Snow at Cambridge University. It contended intellectual life throughout western societies was split into two cultures of sciences and humanities, which was a major impediment to solving the world's problems.

Tyranny of bureaucracy: An indispensable government technique that controls the laity using cohorts of faceless panjandrums to defuse and diffuse accountability into divisive and iterative harmless channels.

Unachievable targets: Goals such as zero harm or defects in the pursuit of perfection or operational excellence often generate counterproductive consequences, which include pettifogging, blame, fear, maladaptive anxiety and manipulation of data.

Uncertainty: A term from risk theory, which is synonymous with chance or probability.

Uncertainty avoidance index: A parameter from Hofstede's cultural dimensions theory, which expresses the societal degree of comfort with uncertainty and ambiguity.

Glossary (cont'd)

Unconscious basic assumptions: Incontestable or sacrosanct features of Edgar Schein's organisational culture model, which often occur automatically and evolve from the deeper dimensions of human existence.

Unconscious competence: A situation where an individual has had so much practice performing a particular activity it becomes second nature and is often executed on autopilot.

Undark: A radioactive luminous paint containing radium which was applied to clock faces, watches, compasses and other military instruments.

Underemployment: A prominent feature of the gig economy.

Underground mining: Underground coal mining throughout the Surat-Bowen basin in Australia and the Appalachian coal fields in the United States has recently witnessed a resurgence of black lung amongst coal miners with a rapid onset of progressive massive fibrosis.

Underlay: Some carpet underlay consists of recycled unlined hessian bags, which were often used for packaging of asbestos fibres before distribution to manufacturing and extrusion plants.

Unitary, pluralist and coercive relationships: Flood and Jackson provide an analysis of relationships on the unitary-coercive continuum and its impact on change management strategies.

Unknown unknowns: A synonym from project management for unidentified risks and popularised by the US Secretary of Defense, Donald Rumsfeld.

Unodourised gas: Natural gas and liquefied petroleum gas are odourless and odorants, which include ethyl or isopropyl mercaptan are added at distribution networks to assist with leak detection.

Unsafe: An unacceptable level of risk.

Unsafe condition: A term immortalised by Heinrich that typically refers to physical or mechanical hazards such as components of unguarded plant and equipment, which include gears, rotating drive shafts or conveyor nip points.

Untermenschen: A derogatory term from Nazi Germany meaning inferior or subhuman, which was used to describe non-Aryan people.

Glossary (cont'd)

Upper isometric risk line: The upper line on a frequency versus consequence value risk diagram above which the risk may be considered unacceptable or dangerous.

Utilitarianism: An ethical and philosophical theory whereby the best action is the one that maximizes utility, which is typically defined as that which produces the greatest benefit for the majority of people.

Utility theory: An economics concept, which was initially used to model worth or value via satisfaction although its meaning has since evolved to represent consumer preferences regarding specific choices.

Valley of the Drums: A major environmental catastrophe involving the disposal of waste chemical drums at Bullitt County near Louisville in the United States.

Vermiculite: A benign mineral mined by W. R. Grace and processed at its Montana operations near Libby in the United States. It was distributed under the brand name of Zonolite, an attic insulation product, which was heavily contaminated with tremolite asbestos.

Vision Zero: A central theme from the recent XXI World Congress on Safety & Health at Work in Singapore 2017.

Vocational training: In Australia it is typically post-secondary and provided through the vocational education and training system via registered training organisations.

Volatile organic compounds: Organic chemicals with a high vapour pressure at standard temperature and pressures.

Volenti non fit injuria: A common law doctrine known as the voluntary assumption of risk.

Vulnerable workers or migrants: Itinerant workers often exploited via contingent labour hire organisations, especially throughout the agricultural and horticultural sectors.

Vulture culture: A book from Eric Gerst published in 2008 exposing the financial services sector, especially the insurance or extortion industry. It provides evidence of widespread corruption with inconsistent state regulations exacerbated by an inability and unwillingness to protect the rights of denied claimants.

Warning signs: An administrative nostrum and common feature on many construction sites and manufacturing plants, especially at security entrance gates.

Glossary (cont'd)

Waste recycling: An annual report from the state environment minister provides a snapshot covering waste management, recycling and disposal activities across Queensland.

Welding: A common activity throughout most industrial sectors. It is defined as hot work and in many applications it requires a permit to work, especially in electrically classified hazardous areas.

Weltanschauung: A soft systems change management term, which describes the world view of an individual or group.

Whistleblowing: The disclosure of potentially illegal, unethical or corrupt conduct within a public or private organisation.

White card: A construction industry induction training course or data dump, which is a statutory requirement across all jurisdictions in Australia.

White shoe brigade: A collective noun in Queensland for the vulgar and politically conservative wealthy businessman, which typically included property developers and financial investment executives.

Wicked problems: Intractable multi-dimensional and typically unsolvable enigmas with many layers of interconnected complexity that should be tackled collaboratively using transdisciplinary resources.

Wild card: A low probability high impact event requiring anticipatory decision making to manage the unexpected.

Winner takes all: A feature of casino capitalism.

Winter of discontent: An era beset by widespread strikes, social unrest and political activism in the United Kingdom, which began during the winter of 1978.

Workers' compensation scheme: Occupational health and safety legislation in Australia is supported by statutory no fault workers' compensation schemes covering all jurisdictions, which also prescribe minimum requirements for self-insurance.

Working at height: Safe Work Australia model regulations prescribe requirements covering the prevention of falls at work, which are supplemented via a model code of practice.

Glossary (cont'd)

Worst of times: A phrase from Charles Dickens in the opening paragraph of *A Tale of Two Cities*. *It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light.*

Zero harm: A counterproductive aspirational goal that denies fallibility and creates a brutal unethical regime focussing on compliance and enforcement.

Zero tolerance: A policy which imposes strict punishment for infractions of cardinal rules with the intention of eliminating undesirable conduct.

Znamenny chants: A melismatic and liturgical singing tradition used in the Russian Orthodox Church.

Zone of reciprocal relationship: A region or demilitarised zone between the leading and following continuum where decision making requires acceptance and ownership and is socially shared rather than individually negotiated.

Zonolite: A brand name for vermiculite, an attic insulation product distributed by W. R. Grace in the United States and heavily contaminated with tremolite asbestos.

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