

Battling Contamination of Water and Environment in Australia: Erin Brockovich Down Under

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The Australian press have been in a state of drooling ecstasy. Part of it is because Australia can be relevant, however negative it might be, to their monster cousin, defender and protector known as the United States. This time, its cultural – in the legal sense. Erin Brockovich has found herself doing the [media rounds](#) on yet another legal project, this time against the Australian Defence forces in Katherine in the Northern Territory. “Australia’s Defence has left Katharine hanging out there like a sitting duck.” Central to this are the dangers of using per- and poly-fluoroalkyl substances (PFAS), a long time favourite of the ADF. The nagging question is not new: Do they cause various diseases, including cancer?

Brockovich and her legal outfit Shine Lawyers have smell legal briefs in the offing. Lawsuits have been launched against the Defence Department in Katherine, and Oakey in Queensland. The firm is hungry, searching out potential sites of contamination in Western Australian and Victoria.

For Brockovich, there is a sense of environmental redux in all of this: contamination of local water supplies and the environment, the sort that made her case in Hinkley, California, famous. ([Julia Roberts](#) did the rest in her 2000 portrayal.) Then it was hexavalent chromium and its illegal dumping by Pacific Gas and Electric Company; now it is PFAS chemicals and Australia’s glorious defenders of the realm who have done everything to terrify and console inhabitants.

“People in Katherine,” notes Brockovich, “are receiving bottled water from their government, they are receiving advisories not to eat fish and some food yet they say it doesn’t harm your health.”

The Department of Defence, for its part, has been less than reassuring, issuing potted missives and disclaimers. It [insists](#) that a “national program to review, investigate and implement a comprehensive approach to manage” PFAS substances “on, and in the vicinity of, some of its bases around Australia” is being undertaken. In the comatose, dulling tones characteristic of that department, it speaks of being “proactive” in this regard, and claims to be entirely “open and transparent in making the verified test results available to the local community”.

The effort on the part of the Australian government has been a muddling one serving to inspire suspicion rather than meek acceptance on the issue of PFAS. The Chair of the PFAS Expert Health Panel, Professor Nick Buckley, was quizzed about his expertise in the area in July, a point that [was rebuffed](#) by suggesting that it was good to have someone “without any

preconceived views on PFAS itself.”

The [letter from Buckley](#) to editors of the *Newcastle Herald* and *Sydney Morning Herald*, which was intended to be a corrective to the reports circulating on this discrepancy, was formulaic and sterile.

“The conclusions of the panel on the evidence are in agreement with international agency reports and systematic reviews. These reviews (and ours) consistently note that there are likely biological effects, and express concerns about possible health effects.”

But doubt had to be factored in the assessments (this panel is, after all, aligned with the auspices of the Department of Defence, yet another example of independence in action), as “they also all agree that, despite there being many studies, there is not consistent evidence that any human disease definitely increased as a result of exposure.” The meanness of this is evident in that concerns about “likely” biological effects are registered, but that the evidence does not stack up conclusively.

This is also a point that is reiterated through other government channels. The New South Wales government’s [information sheet](#) from last year documents concerns covering PFAS substances noting, firstly, their pervasive use for decades, meaning that they can be “found widely in the land and water environments around the world” and that food remains “the most important source of exposure”. But having painted a nightmarish scenario, one of disease and human demise, the tone changes. Don your scientific hats, everybody; there is no “consistent evidence that exposure [to PFASs] causes adverse human health effects.” But evidence gathered from animal studies suggests otherwise, meaning that “potential health effects cannot be excluded.”

It is precisely such grounds of qualification that pique Brockovich’s interest. And she is welcome in certain circles as a legal marauder, a useful David to have a battle with Goliath. The standing ovation (or written ovations) she receives when spending time in Australia vary in levels of gush, the legal saint come to right the wrongs of the large and unscrupulous. She is seen as edgy, and plays up to the image.

“I can drive better here than I can in the United States. Cause remember, its backwards for us. That’s how I work.”

Arrestingly cute, and does wonders to boost the ambitious girl across the pond image. The hack for [The Sydney Morning Herald](#) was certainly won over by her striking height, “with blonde hair coiffed”. She strides (good to know), and then repairs to lunch at Otto. Brussels sprouts and risotto follows. “Because I learned in a certain way, I was perceived different. (American illiteracy can be fashionable.) And then because you’re different, society wants to tell you you’re inferior. I had to learn their way or it was the highway.”

Brockovich returns the favour, telling her Australian clients through her [Shine Lawyers](#) profile how they are “laid back, [have a] good work ethic and have a wicked/demented sense of humour which I love.” Environmental stalwarts such as the Great Barrier Reef, the Daintree, and koalas (she claims to love them) are also noted.

Such profiles must, however, bear fruit. As the legal proceedings gain traction, the Australian government has stepped up its activity in terms of “managing” PFAS, another box ticking venture that hopes to pacify the suspicious and throw off critics. In August, the first round of recipients for the cash laid aside for the Australian Research Council’s Special Research Initiative PFAS Remediation Research Program was announced. The [press release](#) announcing the venture was so loud with praise it can only be questioned: “Some of Australia’s best scientists and researchers will commence ground-breaking work to address PFAS contamination in the environment”. Time for the lawyers step in.

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