

Key Witness Comes Forward as Anglo American Seeks to Delay Lead Poisoning Class Action

- *Anglo Seeking to Pin Blame on Zambian State Mining Company ZCCM*
- *However, Former Kabwe Doctor Says Anglo Knew of the Lead Poisoning Crisis as Early as 1970*
 - *Questions Raised Around Anglo's Document Retention Policies*

JOHANNESBURG & LONDON – 5 JULY 2021 – Law firms Mbuyisa Moleele and Leigh Day today announce that, as Anglo American South Africa (“Anglo”) goes to Court to delay proceedings in the [class action lawsuit](#) in relation to lead poisoning in Kabwe, Zambia, a key witness has come forward for the victims. The witness, Dr Ian Lawrence, was a doctor at the Kabwe mine from 1969 until the early 1970s. His statement sheds light on the extent to which Anglo knew about the dangers of lead poisoning in Kabwe as early as 1970, and crucially counters Anglo’s argument that it bears no responsibility for the lead poisoning in the community.

Anglo has made a second extension request for filing its response to the class action and claimed that the Company holds no documents of relevance pertaining to the operation of the Kabwe mine. However, evidence obtained by the victim’s lawyers relating to the archiving process in the Zambian State mining archives indicates that key documents relating to managerial decisions were copied to Anglo’s head office in Johannesburg and must therefore be retained there.

Anglo’s failure to retain key documents pertaining to the Kabwe mine is surprising given the implications of Dr. Lawrence’s evidence. According to Dr Lawrence’s affidavit, *“Mine Management were certainly aware of the risk of lead poisoning to their employees; the blood levels of all staff were checked regularly.”* His corroborating statement goes on to say, *“... I became deeply concerned at the number of deaths amongst children under the age of five in the residential township where local employees lived... the difference in the number of deaths between mine children and local children was reasonably significant, so much so that I could not understand why no-one else had raised the issue or carried out an investigation.”*

Dr Lawrence stated that he took around 500 blood samples from children under the age of five attending the Township Clinic in 1969-70, virtually all of which exceeded safe blood lead levels (BLLs). Many results were severe enough to cause serious brain damage and death. Dr Lawrence detailed these findings in a report he submitted to the Kabwe mine’s Chief Medical Officer. In 1970, once Anglo was alerted to Dr Lawrence’s findings, the Company commissioned Professor Lane and a Dr King from the University of Manchester, UK to investigate the veracity of Dr Lawrence’s claims and produce a report of their findings.

In 1971, prompted by the deaths of eight Kabwe children from suspected lead poisoning, Dr A.R.L Clark, a doctor on the mine, followed Dr Lawrence’s investigation with an MD thesis (which can be viewed [here](#)) under the supervision of the London School of Hygiene and Tropical Medicine. Between 1973 and 1974, Dr Clark surveyed the BLLs of children in Kabwe and found these to be up to 20 times the current limit set by the US Centre for Disease Control.

Mbuyisa Moleele and Leigh Day argue that Dr Lawrence’s report, the Lane/ King report and the Clark thesis are all critical documents which demonstrate conclusively that the problem of lead poisoning of children in Kabwe already existed during Anglo’s alleged period of control. However, Anglo’s lawyers say that neither they nor Anglo are in possession of the Lane/King report. Anglo’s failure to produce the

Lane/King report is particularly important as Anglo has also alleged that their evidence shows that the Claimants do not have an arguable case.

The hearing to decide whether the extension will be granted is taking place at the Gauteng Division of the High Court of South Africa today, July 5th, and tomorrow, July 6th.

Zanele Mbuyisa of Mbuyisa Moleele said: “Dr Lawrence’s testimony is a powerful contribution to our fight for justice for the people of Kabwe. It supports our argument that Anglo failed to take adequate steps to protect the local community. Anglo continues to attempt to distance itself from its responsibility to the people of Kabwe in direct contrast to its commitments to provide remediation as part of the Anglo American’s Human Rights Policy.”

Richard Meeran of Leigh Day said: “Given its significant organisational expertise, Anglo needs to explain the circumstances in which it disposed of all these important Kabwe documents. In any event, it is crystal clear from the work of Drs Lawrence and Clark that a huge problem of lead contamination of the environment and poisoning of local children occurred under Anglo’s watch before ZCCM came on the scene.”

-ENDS-

About Mbuyisa Moleele and Leigh Day

Mbuyisa Moleele is a Johannesburg-based law firm led by Zanele Mbuyisa, and Leigh Day is a leading international law firm specialising in human rights and mass environmental tort claims. Both firms have a proven track record of litigating complex international class actions on behalf of victims from disadvantaged backgrounds. The class action lawsuit against Anglo America South Africa, launched in October 2020, is being funded by Augusta Ventures, the UK’s largest litigation fund by volume of claims.

More information about the class action lawsuit can be found at www.childrenofkabwe.com.

Media Contacts

Sard Verbinnen & Co.

Jon Aarons/ Rory King

ChildrenOfKabwe-SVC@sardverb.com