

Asbestos: Three important legal changes that could affect some of your patients.

1. New regulations on mesothelioma lump sum payments

Sufferers of mesothelioma who contracted the disease outside of the workplace will now be able to claim a lump sum payment.

The new legislation allows for payment of an up-front lump sum to be made within 6 weeks of presenting the claim to the Department of Work and Pensions and also covers the self employed. (Child Maintenance & Other Payments Act 2008).

2. Fast-track settlements for Mesothelioma sufferers

Mesothelioma sufferers can achieve settlement of a civil claim for damages within their lifetime if they claim through the Royal Courts of Justice fast track procedure.

This is designed to

- give priority in the judicial system to mesothelioma cases
- ensure that defendants do not delay claims
- narrow the issues as quickly as possible to what is really relevant
- obtain immediate substantial interim compensation

Recent successful cases dealt with in this way by our specialist asbestos team have been against corporations large and small, such as ICI, British Rail, Blue Star Line and Esso.

With settlements between £100,000 and £360,000 and taking between 3 - 9 months in some cases.

If the employer has gone out of business it will be necessary to trace their insurers and then take legal steps to enable the company to be sued.

Thompsons, solicitors for the Legal Line, keeps detailed historical archives to make this process easier.

3. New law affecting Pleural Plaques compensation

Pleural plaques had been recognised by the courts as a compensatable injury for over 20 years.

The insurance industry failed when they challenged that right in the High Court over two years ago.

But that decision was recently overturned by the Court of Appeal and the ruling now is not to award compensation.

The decision will affect thousands of workers.

The advice from lawyers is that although workers cannot claim compensation for pleural plaques, they are still entitled to claim for:

- Mesothelioma
- Asbestosis
- Pleural thickening causing disability
- Lung cancer caused by asbestos

Consultation with Government is underway. We will update you when we have further news.

The Legal Line is a division of Thompsons Solicitors, established over 85 years ago and the most experienced personal injury law firm in the UK.

The Legal Line puts this experience to work to maximise every claim - and for every type of accident caused by negligence.

The Legal Line services are always free to our clients, who keep 100% of any settlement.

For more information simply phone 0800 032 8511 or contact us on our website www.thelegalline.co.uk



Mr George Dickerson, seen here with his wife Shirley, died of mesothelioma in 2006. As a child he played near an asbestos factory where extractor fans blew out a lethal dust. Many years later it killed him. Before he died, Mr Dickerson initiated a claim for compensation, wanting to make public the factory's negligence and to provide security for his family. He used Thompsons, solicitors for The Legal Line. Very substantial compensation was achieved and the company concerned admitted responsibility.

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