

Digby Brown welcomes commitment to help Mesothelioma victims in Queens Speech

*Firm renews call for scheme to be extended to all those who have become ill
through exposure to asbestos during their working lives*

Digby Brown has welcomed the announcement in the Queen's Speech that the UK Government will introduce legislation to help people suffering from an asbestos-related cancer who currently cannot claim compensation because no liable insurer can be identified.

The Mesothelioma Bill, details of which were announced in yesterday's speech outlining the UK Government's programme for the next Parliament, would establish a payment scheme for people diagnosed with Diffuse Mesothelioma after 25th July 2012, who were negligently exposed to asbestos and where their employer or employers' liability insurance company cannot be traced. Payments would be funded through a levy on live Employers' Liability insurers.

Last August, Digby Brown welcomed the announcement by the Department of Work and Pensions (DWP) of an Employers' Liability Insurance Bureau scheme for mesothelioma claims and called on the DWP to amend the scheme to cover victims of other asbestos-related conditions.

Digby Brown has represented thousands of people who have suffered the consequences of being negligently exposed to asbestos during their working lives and works closely with organisations such as Asbestos Action Tayside, who provide essential support and advice to individuals and families affected by an asbestos-related condition.

Fraser Simpson, Head of Digby Brown's Industrial Disease department, said:

"Asbestos-related conditions such as asbestosis, diffuse pleural thickening, asbestos-related lung cancer and mesothelioma are not illnesses of the 1950s, they

are real conditions which affect thousands of people across Scotland in the 21st century.

“Far too many sufferers have been unable to claim compensation for horrible illnesses they developed due to lack of care on the part of their employers, simply by going to work over the years, because of difficulties identifying liable insurers. The scheme is an attempt to correct past failures of the insurance industry to maintain records of insurance at the time when the greatest levels of asbestos exposure was taking place. This bill is a welcome announcement which hopefully will help sufferers of a particular condition - Diffuse Mesothelioma – claim fair and appropriate compensation.

“As always, it remains to be seen how the scheme will operate and I look forward to seeing the details of the bill when it is introduced to parliament. In particular, although this is a UK-wide scheme, it is hoped that it will afford all bereaved family members the same legal remedies as are presently available under the law of Scotland where negligence is established and where an insurer is identified. I hope the bill will be brought forward quickly and enacted into law as soon as possible. Parliament owes it to sufferers of Diffuse Mesothelioma to take action.

“Diffuse Mesothelioma is just one condition. I would hope this is just a first step to similar payment schemes allowing victims of other asbestos-related conditions to claim fair compensation.”

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Notes

1. Digby Brown is Scotland’s largest personal injury practice, with offices in Dundee, Edinburgh, Glasgow, Fife and Inverness, and is rated Band 1 for Personal Injury in Scotland by the independent Chambers Guide to the UK Legal Profession 2013.

2. The firm has been pioneered 'no win, no fee' arrangements in Scotland, creating groundbreaking legal expense insurance and funding arrangements to provide people across Scotland with access to justice and compensation if they have been involved in an accident that wasn't their fault.
3. Digby Brown are sole legal service providers to members of the GMB trades union in Scotland.
4. For more information on Digby Brown's Industrial Disease department, see http://www.digbybrown.co.uk//Industrial_disease

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