

Airborne

Asbestos awareness & advice newsletter



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A town wiped out by asbestos



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Mesothelioma claim settles for £670K just days before trial

K was only 59 when he was diagnosed with mesothelioma in October 2016. A plumber by trade, he had come into contact with asbestos as a youngster, in the 1970's and 80's. The firms he served his apprenticeship with and worked for afterwards undertook domestic work as well as commercial contracts, including at several schools in the Reading area, where much asbestos was used, particularly in the boilerhouses and heating systems.

When he was diagnosed, K was still working full time, in a job that he loved, and was a very hands on grandfather, as well as carrying out most of the household work, including much of the cooking, shopping and laundry, as well as maintaining the family home and garden, and also helping other family members maintain their properties. He was a skilled handyman to tradesman standards, and had helped his son renovate his first house over the course of several months. K's wife also worked full time, in a senior position, earning considerably more than her husband.

K was keen to have immunotherapy treatment and was able to access this through his wife's healthcare cover.

When an individual has mesothelioma the compensation payable is assessed differently if

they pursue their claim personally rather than the claim that can be made after their death on behalf of their estate. Typically the claim for the estate is more valuable, but because a large proportion of the surviving spouse's income is deducted from the future settlement, it looked as if K's claim was an exception to this general rule. Efforts were made to persuade the defendants to enter into settlement discussions but they would not engage.

Court proceedings were commenced within 4 months and judgment was entered by the court at the first review hearing. As it looked like the claim was more valuable if settled personally by K, a very tight timetable was put into place to assess the damages payable within just a few months. However, K's wife was then told her pre existing eyesight difficulties meant she could not see well enough to drive, and ophthalmic evidence suggested the prognosis was uncertain and that she needed an operation. In the meantime, she reduced her hours at work in an effort to spend more time with her husband as well as enable her to continue to cope at work notwithstanding her eyesight problems. Care evidence was also received which demonstrated that K's input into the household was so considerable that this, together with K's reduced income, meant that the claim on behalf of the estate was likely to be more valuable. The defendants care report suggested that in retirement K's wife's contribution to the household would have "become more equal" – despite the uncertainty surrounding her eyesight problems!

We applied to court to delay the trial to allow the evidence to be finalised.

Sadly, and inevitably, K's condition deteriorated and he passed away in the autumn of 2018. Poignantly, he never got to know that his recently married son would become a father in the spring of 2019.

Once the evidence was clearer, we made a formal offer to the defendants to settle the claim for £600000, but they did not respond. It became apparent that even though the claim had been ongoing for almost 3 years the 2 previous employers were still arguing between then what proportion of the claim they were

each responsible for. This was also the reason they had not engaged with our attempts to hold settlement discussions during K's lifetime.

The only remaining step in the proceedings was for the care experts to serve an updated report, and the defendants served updated evidence from their expert that confirmed not only was the suggestion the input into the household would have become more equal not going to be pursued, but she felt the hourly rate that K's input should be assessed at was actually 15% higher than suggested previously.

This made a considerable difference to the likely award, so we withdrew our earlier offer and made an increased offer of £670K. Formal offers like this can be a powerful tool because the Judge at the trial isn't told about any previous offers, but if the claimant goes on to beat their offer because the judge awards them more they can seek an additional payment of 10% on top of the amount they are awarded. As a result a slightly discounted offer was made to increase our chances of being awarded more if the case went to trial.

The time for accepting the offer came and went and it very much looked as if the trial to assess the compensation payable would need to go ahead. However, just a week before trial the defendants offered £500000, which was insufficient, and with just a couple of days to go to trial, the defendants accepted the claimant's own offer. Although she was willing to go to court Mrs K would have preferred not to, not least because the trial timetable coincided almost exactly with what would have been K's 60th birthday.

The settlement included recovery of the private healthcare costs and the voluntary care provided by the hospice. It also gives the family financial security, which was always K's motivation in bringing the claim.



Helen Childs, Partner



■ Damages for painter and decorator exposed to asbestos at LF Europe Limited including funding for immunotherapy

Rachel James recently concluded a claim for Trevor who was sadly diagnosed with mesothelioma. Trevor spent the majority of his working life working for LF Europe Limited who were previously known as Peter Black Footwear & Accessories Limited. He worked for them as a painter and decorator from the late 1970s and had been exposed to asbestos during the course of his work when he had to brush down walls and metal girders sprayed with asbestos, to prepare them for painting.

Rachel was able to obtain judgment from the Court in Trevor's favour very early on in the claim and he received a substantial interim payment of compensation.

Trevor began chemotherapy treatment, but sadly did not tolerate it well. He consulted Mesothelioma UK about immunotherapy treatment and was referred to an oncologist in his area and was advised that when his condition began to progress, the treatment would be an option for him.

Trevor was a very hands on grandfather, he previously provided considerable care for his granddaughter, picking her up from school and looking after her with his wife whilst his daughter was at work. He also undertook DIY and gardening

services to his family members because he was a very skilled tradesman. In addition, his wife did not drive so was reliant on Trevor for transport.

Due to an odd rule in the law, it is not generally possible to recover compensation personally for future services after your lifetime. Trevor was very keen to settle his claim in his lifetime, but also wanted to ensure that compensation was obtained for the services he provided to his granddaughter and his family.

Rachel worked with a specialist barrister and decided that a living claim would be brought for Trevor, but that it would also include a claim for future services to ensure that his family were fully compensated.



There was conflicting law on the point but one earlier case that of *Lowe v Guise*, had allowed a living claimant to recover future DIY services after he had passed away. This had succeeded in other cases but not at Court of Appeal level, therefore it was not known which way the Court would decide the matter. Trevor also needed to ensure that he would have his immunotherapy treatment funded when he needed it in the future.

Trevor's case came close to trial but in the end, settlement was agreed in excess of £300,000 excluding immunotherapy treatment costs. The settlement was enhanced to compensate Trevor for some of the future services that he would have provided throughout his future lifetime had he not developed mesothelioma.

In terms of treatment costs, it was agreed that Trevor could apply to the Court for money whenever he needed it for treatment that was not funded by the NHS. Just following the settlement, Trevor commenced immunotherapy treatment privately and is doing extremely well.

His treatment continues to be funded through interim payments provided by the Defendant and Rachel is managing the interim payments with the Defendant on his behalf.

Trevor's daughter Marie said: "Royds Withy King were so helpful during a difficult time in our lives. Rachel James our solicitor was sympathetic whilst asking questions and returning my calls/emails quickly when I had questions for her. She helped us to understand the legal information and gave us choice on how we wished our case to go. Ultimately we won our case and got the outcome we wanted; which was personal damages, compensation and funding for private immunotherapy treatment that is not available on the NHS. We cannot thank Royds Withy King enough especially Rachel."



Rachel James, Senior Associate

■ Why should your patients make a compensation claim?

Personal injury lawyers often get a negative press. We are sometimes presented by the media as 'ambulance chasers' focussed on monetary gain rather than the wellbeing of our clients. For us, this perception is incredibly frustrating and really could not be further from the truth. We are committed to representing people who have been dealt a terrible blow; whose lives have been dramatically changed because of a diagnosis of mesothelioma, lung cancer or another asbestos related illness due to the negligence of somebody else. Often those diagnosed have been injured simply by going to work – a place where they thought they would be safe and looked after. Yet for many of our clients, the decision to make a claim for compensation is not a straight forward one. The myth of the 'claims culture' can deter and people worry about the effect on their former employer. It is however crucial that patients take specialist legal advice so they can make a fully informed decision about making a claim. If a person diagnosed with an asbestos disease has any reservations about the process then these can be discussed and questions answered.

Perception v Reality

'No one knew asbestos was dangerous back then, it isn't fair to place blame'

The simple fact is the dangers associated with the use of asbestos have been known since at least the beginning of the 20th Century. The government knew of the developing knowledge about asbestos and put in to place legislation meaning that employers ought to have known about the dangers. Our clients are often shocked to hear that Asbestos Regulations were enacted as long ago as 1931!! At that time, it was only known that heavy exposure to asbestos could cause disease. However, by 1965 it was appreciated that even low levels of exposure could cause mesothelioma. Employers are under a duty to keep abreast of developing knowledge and up to date with the law. Therefore they knew or ought to have known about the dangers and taken steps to protect their employees from exposure. It is therefore only right that a person who develops an asbestos related illness through no fault of their own is able to seek redress.

'I loved my job. I don't want to make a claim and get anyone in to trouble'

People are often concerned about getting others in to trouble. They enjoyed their work and have fond memories of their bosses and colleagues. Sometimes people struggle to accept that it was the work they enjoyed so much that has led them to develop an illness. Making a claim will not get any individuals in to trouble. The vast majority of asbestos claims are pursued against companies, not individuals and in reality, most companies had insurance in place and it is those insurers that pay the compensation. People should not be put off making a claim due to loyalty to their past employer and should think about themselves. Whereas the insurance industry should not have to deal with unmeritorious claims, they took the premiums all those years ago from employers, and if they are faced with a claim today they will defend it if they can.



PERCEPTION



REALITY

'My condition isn't too bad at the moment so I won't make a claim now'.

Particularly those diagnosed with a benign disease such as asbestosis or diffuse pleural thickening can be reluctant to pursue a claim as do not feel they 'deserve' compensation. However, those diagnosed with these diseases have still suffered an injury and symptoms, usually breathlessness, which affects their everyday life making things more difficult for them. Even when symptoms are minimal – it is not uncommon for sufferers to have a 5 or 10% respiratory disability due to their asbestos disease, they are still being affected. The other important thing to consider is that a person diagnosed with an asbestos disease only has one 'cause of action' or one opportunity to make a claim. They can choose to conclude their case on a provisional basis which means that if their current disease gets worse or they are diagnosed with another asbestos disease in the future such as lung cancer or mesothelioma, they can reopen their case and claim further compensation. There is a 3 year time limit from being diagnosed with an actionable disease to make a claim. Therefore if a person diagnosed with asbestosis or diffuse pleural thickening decides not to take any action at the time and then is unfortunate enough to develop a malignant disease in the future, they may be unable to pursue a claim later. Although we often act for people with "out of time" cases many law firms won't accept these claims meaning that at the very least a missed time limit means there is an additional hurdle to overcome in making a claim.

'I am not short of money so I am not going to bother making a claim as I don't want to be greedy'

Those who are financially secure may not want to make a claim as don't see the benefit to them. Understandably, they may decide to spend the time they have left making the most of life rather than be involved in litigation. However, thought should still be given to pursuing a claim as the damages recovered can help to fund specialist care and support and also access new and novel treatments which may not yet be available on the NHS such as immunotherapy which can potentially prolong life. The government will also be able to reclaim the benefits paid out from the dependants if a successful claim is made, meaning many thousands of pounds go back into the public purse and the benefits budget. Those diagnosed with a disease may also have dependants who rely on them – whether that be for services such as gardening, driving, house maintenance or childcare. Sometimes people care for another member of the family and thought should be given to who will take over the care or how will it be funded in to the future. Making a claim is not being greedy!

“I feel uncomfortable profiting from the death of a loved one”.

When you have lost a loved one to an asbestos illness making a claim can feel pointless. We understand that making a claim cannot bring a loved one back. No amount of money can compensate you for your loss. It is not going to change anything or bring the person back. People are understandably grieving and there is also enough to do to sort out the loved ones affairs without adding a claim. People sometimes feel that they are ‘money grabbing’ if they contemplate a claim. However, your loved one may have suffered terribly with their illness – physical symptoms and pain, gruelling treatments, mental anguish and psychological distress which they would have been entitled to be compensated for. Family members may have spent considerable time caring for their loved one during their illness, taking over all kinds of responsibilities – driving to all medial appointments, cleaning, cooking, gardening, DIY and life admin. Looking after pets, children and grandchildren as their loved one previously did. Monetary losses such as paying for treatments which may cost thousands to buying new clothes due to weight loss which may only have been a few hundred pounds. One of the biggest losses is often the impact on income – losing the person’s entitlement to pension income or wages if the Deceased was still working at the time of death. Making a claim and recovering compensation is not profiting. It can never put you back in the position you would have been but for your loved one’s illness but compensation can ease financial worries for those left behind.

‘I do not agree with the claims culture’

Is this not a myth? A term developed by the insurance industry and tabloid media. Compensation culture suggests claims which are frivolous, unjustified or fraudulent.

Here, we are talking about people who have developed an illness which may dramatically cut short their natural life. People who will die years, sometimes decades before they would have done, if they had not been negligently exposed to asbestos. Those with benign diseases are left with symptoms which impact their everyday life as well as the worry that they may develop a more serious illness in the future due to asbestos. We believe (and English Law confirms) that anyone injured due to another’s persons breach of the law or negligence is entitled to be compensated. For asbestos disease patients, money can never compensate them for their loss but it is all that there is. Many of those diagnosed with an asbestos disease are hugely comforted by knowing they have done all they can to put their affairs in order and provide for their families. For families the claim is often not about the compensation, but about someone accepting responsibility for their loved ones suffering.

‘He had a good innings why should his family get compensation’

Age is irrelevant to the pain and suffering that a patient with an asbestos related illness goes through. We are able to obtain a specialist life expectancy report whereby an expert assesses the medical history of the patient and forms an opinion of the life expectancy of that patient but for their disease. It would be a very rare finding that a patient’s life expectancy was not lowered because of their mesothelioma or other asbestos related disease, even if they suffered from other co-morbidities. Even those patients in their 80s may have had years of life left to live but for their diagnosis.

How we can help?

'I am just going to apply for government benefits instead of making a legal claim'

Sometimes people may decide to claim benefits but not make a legal claim. However, as mentioned above regard should be had to the time limit to pursue a claim and also about costs that may be incurred in the future as a person's illness progresses. Benefits will not for example be anywhere near enough money to fund private non NHS funded treatments or provide specialist care to the patient or perhaps a loved one they were caring for when they were well. As mentioned above, a claim can also allow the government to recoup the benefits it has paid, meaning they are available for others who are entitled to claim government support.

Damages through a compensation claim can ease financial worries so the patient is able to concentrate on the most important thing - their health. For the family and dependants, and indeed for the patient themselves, it is often a great comfort and relief to know dependants are provided for in the future, including a recovery for income or pension loss during the 'lost years'. Moreover, a dependant may have their own care needs that the patient was providing before they were diagnosed with mesothelioma or an asbestos related illness. There may be childcare needs for children and grandchildren as well.

We urge anyone diagnosed with an illness or people who have lost a loved one to one of these awful diseases to take legal advice so that they can make a fully informed decision whether to make a claim.

We want to help our clients during a challenging time following negligent exposure to asbestos and we work hard to guide our clients through their claims and achieve out of court settlements as much as possible.

**Jennifer Seavor, Senior Associate
and Layla Hardin, Trainee Solicitor**



Jennifer Seavor, Senior Associate



Layla Hardin, Trainee Solicitor

■ Family of former lagger recover compensation following his death from mesothelioma

Bill was employed by Joseph Nadin (Royton) Limited between 1958/59 and 1962/63 and again, intermittently, between 1967 and 1968 as a lagger.

Bill regularly came into contact with asbestos whilst working at a number of power stations, where he was required to lag pipework using asbestos paste. Bill had to prepare the asbestos paste by mixing asbestos powder with water. The lagging was mixed in a big drum and then applied to the pipework by hand. This work created a huge amount of dust, which covered Bill's clothes and got in his mouth, nostrils and hair. Bill was not provided with any respiratory protection nor warned of the dangers of asbestos.

Bill approached Royds Withy King in May 2018 following the onset of his symptoms. We visited Bill at home in Sheffield and spoke to him in detail about his employment history and exposure to asbestos. We also helped Bill complete application forms for government benefits to which he was entitled.

Bill sadly received a formal diagnosis of mesothelioma in July 2018 and a letter of claim was sent to the Defendant to inform them of the claim.

A medical report was obtained from an expert consultant physician regarding Bill's onset of symptoms, diagnosis, likely life expectancy. Unfortunately, Bill's condition deteriorated very quickly and sadly, Bill passed away on 5 September 2018 before his claim could be concluded. Following Bill's death, his wife continued with the claim.

Despite attempts to enter into meaningful communication with the Defendant regarding settlement of Bill's claim, there was little progress from the Defendant. Court proceedings were therefore started in January 2019 in order to progress the claim and judgment was entered in Bill's wife's favour.

A hearing was listed to take place in the High Court in London in November 2019 for a judge to decide the final amount of compensation to be paid. Negotiations were entered into with the Defendant and the claim settled just days before the hearing was due to take place, for £200,000.

■ Mesothelioma claim settles for £840,000 – the importance of specialist legal and medical support

P was a retired former swimming pool and leisure centre manager who had been exposed to asbestos when he was first working in the West Midlands in the 1960's and 70's. Asbestos was widely used on the heating systems for swimming pools.

P became unwell at Christmas 2017 and was diagnosed with biphasic mesothelioma in February 2018. His treating doctor referred him on to a law firm in the Cotswolds, where his claim progressed very slowly. Despite lots of visits from the lawyer no letter of claim was sent to P's previous employers

until July, and no medical evidence was sought. P was very keen to access bespoke immunotherapy treatment as he and his family had researched the treatment options themselves. The solicitors and Mr P's original respiratory physician were out of touch with the very promising developments in

immunotherapy – they had no knowledge about the efficacy of immunotherapy treatment and thought it could only be accessed in a clinical trial setting. P carried out his own research and started treatment privately with specialist oncologist Dr Lester, close to home. He funded the initial treatment himself and his lawyers knew it was imperative that ongoing funding for treatment was secured by the autumn. Despite this very little progress was made and in Mid August the family approached Helen Childs of our specialist team for advice. P's sons worked in the week so Helen visited the family on the next Saturday, and by Sunday evening the file had been requested from the previous solicitors, the defendants had been contacted and put on notice about the imminent issue of proceedings if liability was not admitted and the immunotherapy funding not agreed, and a brief medical report outlining the treatment received was requested (and received) from Dr Lester. A lump sum application was also made to the government.

The family were very stressed about the lack of progress with their previous law firm and the prospect of having to fund ongoing immunotherapy personally.

Court proceedings were commenced before the end of the month and within just over a month of being instructed Helen had secured judgment and a substantial interim payment and put in place the medical and care evidence needed to support the claim. The claim was particularly valuable, and was more valuable if concluded on behalf of the estate rather than by P personally. However he was keen to conclude it personally and Helen approached the defendants to arrange settlement discussions so an enhanced lifetime settlement could be arranged.

P did very well with his immunotherapy treatment and outlived his prognosis, although the treatment was eventually discontinued after about a year as there were some side effects. The defendants were warned that if no enhanced settlement could be agreed the assessment of damages – which was listed for November 2019 – would be adjourned so the estate could conclude the case. By the time they were able to meet with us (there were delays as they tried to obtain a contribution agreement from P's subsequent employers) we were within a few weeks of the trial date and instead of discussing settlement on an enhanced lifetime basis they had to agree to discuss the claim as if it was already a fatal settlement.

P's wife had a longstanding medical condition and P was her main carer, having taken early retirement to look after her. A significant future care claim was put forward, even though the defendants expert said a handful of hours a week was reasonable.

The settlement that was agreed provided for ongoing care for P's wife, and reflected his considerable input into the household (he was skilled to tradesman standard in DIY and loved gardening) – and the childcare he and his wife used to provide regularly for the grandchildren but could no longer manage to do.

One unusual factor of the case was the claim for additional Inheritance Tax that would potentially become payable on a holiday home P had purchased for cash (he had built up a portfolio of shares as a result of being a very astute investor) on behalf of the family, including his sons, a couple of years before his diagnosis. He would have survived for 7 years but for his diagnosis with mesothelioma and if he had no IHT would have been due.

The claim did not settle at the settlement meeting, but it was settled a couple of weeks later. Shortly afterwards, sadly, P's condition deteriorated and he died. He had wanted to ensure his family's financial security – as he had always done – and was very pleased that he had been able to settle the claim personally and at full value.

P's experience illustrates the importance of securing specialist advice – both legal and medical. P had complete faith in Dr Lester and the immunotherapy treatment he received meant he had hope for an enhanced life expectancy, and indeed he outlived his original prognosis by more than a year. The speedy issue of proceedings and the receipt of the interim payments (£200000 was received) meant he and his family could stop worrying so much about the costs of the treatment he needed and the legal process itself.

It was a pleasure to have been able to act so speedily to help P and his family. The asbestos claims pre action protocol and the specialist asbestos judges in the High Court should work to ensure that claims can proceed very quickly, and for the early receipt of interim payments. However this was not the first time we had reviewed a file from P's previous solicitors where matters had proceeded very slowly, and there was evidence they were not up to date with the current legal procedures and developments in medical treatment.



Helen Childs, Partner



■ How can you look after your wellbeing when you have an emotionally difficult job?

We each have a responsibility to take care of our own wellbeing; we owe it to ourselves, our loved ones and our colleagues.

The concept that fills all wellbeing and mental health workplace training at the moment is the stress container. The idea being that each person has a container in which their stress is stored. Stressors pour into it, and the stress level rises gradually and can result in an inevitable overflow if too many stressors are poured in. To avoid this, we need to remember to open the tap on our container to release the stress in healthy ways such as exercise, socialising, and mindfulness to name a few examples. The odd G&T can help many of us too!

An important part of understanding this concept is to realise that each person's stress container is different sized, and what would be merely

a drop in one person's container, could cause near overflow in another's. It is important we try to be self aware and ask ourselves regularly how we are feeling. It is also important to support our colleagues to consider their stress container and to ensure they are able to speak up when their levels are rising.

In caring professions such as nursing it may naturally be a challenge to maintain a good sense of wellbeing because of the demands of the job and the nature of the work. It is important to look after your own wellbeing so you can perform effectively and support your patients. It is ok to acknowledge that some things are difficult and we all have times when things get too much for us. There may be occasions when even the things that we do on a daily basis that we have come to think of as "just part of the job" are difficult.

As a solicitor representing terminally ill and recently bereaved clients, it can be a challenge

not to be affected and upset by what my clients are going through. If I wasn't then I would be in the wrong job as empathy is a natural part of the work I do and the reason why I like to think I provide such a good service to my clients. I try to do a mental check after a particularly hard appointment or an emotionally testing task about how I am feeling as a way of regulating my wellbeing. If I have found something difficult I try to take a lunch break to get some fresh air (and every now and then some sunshine too!) or do something that lifts my mood.

Often our working days are so very busy it is hard to do this mental check or to take a break. However, little things can make a real difference so here are a few suggestions:

- 1.** Spend a few moments at the start or end of each day thinking of three things you are grateful for.
- 2.** Take a break when you can, even if it is just for five minutes of fresh air or to listen to your favourite song.
- 3.** Use a meditation app that offers short, guided meditations or relaxing body scans and allow yourself ten minutes to practice.
- 4.** Ask for some uninterrupted time at your desk to get something done or put in place a "do not disturb" system with your colleagues.
- 5.** Set goals for busy times about how you will factor in self-care and stick to them!
- 6.** Plan things during the week that are just for your own enjoyment. These don't have to be big things that take a lot of time or money, and can be simple things such as having a bath, going for a walk or watching a favourite TV programme.
- 7.** Take five deep, slow breaths when you notice you are feeling stressed or anxious.
- 8.** Ask your employer whether they can provide a quiet space for employees to sit for a bit of quiet time during a busy working day.
- 9.** Put up a whiteboard on which colleagues can write the positive things which have happened during the day/week. This is an opportunity to celebrate each others' successes and acts as a visual reminder of all the things you love about your work.



Building positive relationships with our colleagues is also a great way of increasing wellbeing in the workplace. After all, it is our colleagues that we spend the largest proportion of our time with per week. Having colleagues who support each other, celebrate each other and respect each other's pressures and commitments outside of work can lead to a happier workforce. Most professionals are bound by confidentiality, but most of us feel the need to talk about our work, particularly where it is emotionally hard. Being able to discuss our experiences with colleagues is the best way to meet our need to de-brief or vent, whilst also maintaining our professional obligations of not breaking confidentiality.

In summary, remember that your mental health is as important as your physical health. In the 24/7 world in which we now live it has never been more important to be aware of how you are feeling and look after yourself and your wellbeing.



Emily Cox, Solicitor

Government benefits for asbestos disease patients explained

If you or a family member is diagnosed with an asbestos related disease, it is an extremely worrying time. Not only are you concerned for the health of yourself or a loved one, but you also may be worried about the financial burden that you may face.

In order to relieve some of the pressure surrounding finances, those diagnosed with an asbestos related disease, or their dependents, are entitled to claim benefits.

Industrial Injuries Disablement Benefit (IIDB)

Industrial Injuries Disablement Benefit (IIDB) is available to those who have become unwell because of an accident or disease due to work.

The amount paid is dependent on an assessed level of disability. This is usually assessed by a medical advisor. Normally, you must be assessed at least 14% disabled or more to get the benefit. The maximum payment available (for 100% disability) is £179 per week.

IIDB is available to those who have been diagnosed with: pleural thickening, asbestosis, asbestos-related lung cancer and mesothelioma and mesothelioma sufferers are always assessed at 100% - whatever the stage of their illness. One point to note is that you will not be able to claim IIDB

if you were self employed, or your exposure was not at work.

To apply for IIDB, you must complete an application form and submit evidence of your diagnosis. Guidance is given on completing the form, or you can seek assistance from a specialist asbestos diseases solicitor.

If your condition was to change, for example to improve or if sadly it were to deteriorate, you must inform the office that deals with your payments as it may be that your payments can be adjusted.

Constant Attendance Allowance (CAA)

Where you receive IIDB and your disability is assessed at 100%, and you require daily care and attention, you may also be entitled to Constant Attendance Allowance (CAA).

The rate at which this benefit is paid is based on an assessment of your needs, the maximum payment is £143.20 per week.

There is no need to apply for this benefit, it will automatically be considered at the time of your IIDB application if a 100% disability assessment is made.

Exceptionally Severe Disablement Allowance (ESDA)

If you are assessed at one of the top two rates of CAA and need permanent, constant care and attention you may be able

to claim Exceptionally Severe Disablement Allowance (ESDA).

Pneumoconiosis Etc. (Workers' Compensation) Act 1979

Individuals or their dependents, who have been diagnosed with pleural thickening, asbestosis, asbestos-related lung cancer or mesothelioma may be entitled to a lump sum payment under the Pneumoconiosis Etc. (Workers' Compensation) Act 1979. This is also known as a PWCA lump sum payment.

In order to be eligible, you must meet the following conditions:

- Your dust-related disease was caused by your employment;
- You receive IIDB for one of the diseases;
- You make a claim within 12 months of being awarded IIDB;
- You have not brought a court action or received compensation in respect of the disease;
- If you are a dependent, you make a claim within 12 months of the death of the sufferer.

The lump sum paid is dependent on the age of the sufferer but can be substantial.

Diffuse Mesothelioma Payment Scheme 2001

If you are not eligible for a PWCA payment, you may be eligible for a Diffuse Mesothelioma Payment under the '2008 scheme'.

These payments are made to people who develop mesothelioma but who came into contact with asbestos outside work or whilst self employed. Again, the amount paid is dependent on the age of the sufferer. Those under 65 may also qualify for other benefits.

Advice

There are a number of benefits to which you may be entitled, and some of the benefits are linked. The system can be a minefield to navigate, which people often struggle to deal with following a diagnosis of an asbestos-related disease. It may therefore be helpful to seek the advice of those experienced in dealing with these applications, such as your solicitor, a benefits advisor, a support group or by visiting your local Citizens' Advice Bureau.

However, if those individuals or families are pursuing, or intending to pursue, a legal claim for compensation it is advisable to consider and submit any applications with the assistance of your solicitor. It is of the utmost importance that the information contained in benefits application forms is consistent with the information presented in the legal claim.

The benefits applications are disclosable documents in the claim so it is important there are no inconsistencies.

Repaying benefits following a successful legal claim

If you were to pursue a successful legal claim, some of the benefits you had been awarded may need to be repaid. This is to prevent 'double recovery' of compensation i.e. recovering compensation for the same thing twice. If a legal claim is unsuccessful, the benefits will not need to be repaid.

Time limits for applying for benefits apply and some are much shorter than the time given to pursue a legal claim, so it is always better to apply for the benefits initially so that you may have access to funds as you require them, before a legal claim is concluded. Almost all applicants recover far more compensation in a legal claim than the amount awarded in benefits from the DWP, so you should not be concerned about repaying the benefits. It will be done automatically at the conclusion of your claim. In any event, you would not have to pay back more than you recovered in legal compensation.



Department
for Work &
Pensions

On successful conclusion of a legal claim, the benefits that may need to be recovered are as follows:

- IIDB – if a claim has been made for loss of earnings;
- PWCA – always if compensation is recovered through a legal claim;
- CAA – if a claim has been made for care and assistance;
- ESDA – if a claim has been made for care and assistance.

Each case will be different, so your solicitor should advise you exactly what benefits and sums will need to be repaid.

Being given a diagnosis of an asbestos-related disease is undoubtedly a very difficult time. The benefits available are there to assist individuals and their families and to relieve them of some of the financial pressures they may face at this difficult time so should be sought.



Abbie Porter, Paralegal

■ Some of our other recent settlements:

■ Grandfather's mesothelioma claim settles for over £100,000

W died of mesothelioma in August 2016. His condition developed very quickly and he had no chance to seek legal advice or to make a full lifetime statement. However he told his family about exposure to asbestos when he helped build the new JR hospital in Oxford.

W's daughter instructed a union firm initially but she was dissatisfied with their lack of progress so sought a second opinion from Helen Childs of our specialist team. W's employment history was obtained and this showed that at the time the JR was undergoing construction he was working for a building company that was no longer trading, and whose insurers could not be traced. Although the government introduced a fund of last resort to compensate individuals whose employers/their insurers cannot be traced, this is only available for the individual themselves or their spouse/dependant partner. W was a single man, having separated from his daughters' mother many years before, and also raised them on his own.

W's employment history also confirmed he had worked for a local brewery and for the hospital in Oxford direct. His daughter knew that as well as having worked in maintenance he had also been a hospital porter for a while.

Facebook appeals for witnesses were made, looking for anyone who had worked at either of these two places. One of the maintenance foremen from the hospital was kind enough to contact us. He gave very helpful evidence about the extent to which asbestos was used at the hospital, and the continual system of maintenance work that was carried out. He described there being no safety measures to protect workers, healthcare staff, or patients. Sometimes work would be done inside the wards and corridors themselves, which disturbed asbestos and generated dust. He said he couldn't imagine anyone who worked at the hospital managing to avoid coming into contact with asbestos.

An offer of settlement was made to the defendants, but they did not respond. Proceedings were issued and served, and settlement was agreed at £105,000. This includes some money for Sobell House Hospice, in Oxford, who cared for W in his final weeks. For a single person with no dependants, settlement would usually be around £75,000, but W's grandsons both had special educational needs, and he was a very hands on grandfather when he saw them, and also used to assist financially. The family were delighted with the settlement, which means that some additional educational support can be arranged for one of the grandsons. However, the claim was never about the compensation for them. They had seen W suffer terribly, and had promised him they would do their best to pursue compensation.

■ Justice for wife of maintenance fitter exposed to asbestos by Delecta Table Waters



We have recently concluded a claim for John, a resident of Malta, who moved there in 1990 with his wife, Antonia, who is a Maltese national.

John worked as an apprentice pipe fitter in the late 1950's. He had an intense period of exposure to asbestos during his apprenticeship, and as a consequence he developed mesothelioma. The Maltese government agreed to fund immunotherapy treatment for John, and UK government benefits were also secured for him. Sadly, he deteriorated rapidly and passed away, but an admission of liability was secured in his lifetime.

Antonia was dependent on John not only financially, but for transport (as she is a non driver) and with services. Antonia's settlement included her financial dependency, dependency on John for transport and services around the home including tradesman's services. As well as quantifying

services in Malta, advice needed to be sought on whether a grant or probate or equivalent could be obtained in Malta, and on the process required to release funds to the Estate.

Antonia said
"The service my late husband and I received from RWK has been excellent throughout. Our designated lawyer Mrs Rachel James was so caring, approachable, kind and understanding and always explained all that we/ I had to go through step by step."

■ Compensation recovered for former Roberts Adlard employee diagnosed with asbestos related diffuse pleural thickening

Brian was diagnosed with pleural plaques following a CT scan in September 2011. He approached solicitors but was unable to pursue a claim for compensation as pleural plaques are not actionable if they are asymptomatic.

In September 2014 Brian noticed that he was becoming breathless on exertion. A chest x-ray revealed he had developed fluid in one of his lungs. He was referred for a CT scan which showed he had developed diffuse pleural thickening. His consultant thought this may have developed due to his exposure to asbestos in the 1960's.

Between approximately 1965/66 – 1967/68 Brian had worked for Roberts Adlard & Co Ltd as a general labourer. It was a roofing company and the premises were based in Canterbury. Brian's job involved serving customers in the yard. He regularly handled asbestos products such as asbestos sheeting, asbestos guttering, asbestos downpipes and asbestos cold water tanks. He often had to cut or drill the asbestos products in order to meet the customers' requirements. He was not provided with any breathing protection whilst employed by then company and there was no health and safety training regarding the dangers of asbestos.

Brian approached specialist asbestos diseases solicitor Jennifer Seavor in 2014 whilst she was employed by another firm. When Jennifer left the company to join Royds Withy King Brian's case was transferred to another solicitor. Shortly afterwards Brian was told that it was unlikely his claim would be successful and the firm could no longer act for him. Brian got in

touch with Jennifer again who took a further witness statement from Brian and approached an expert engineer for further evidence.

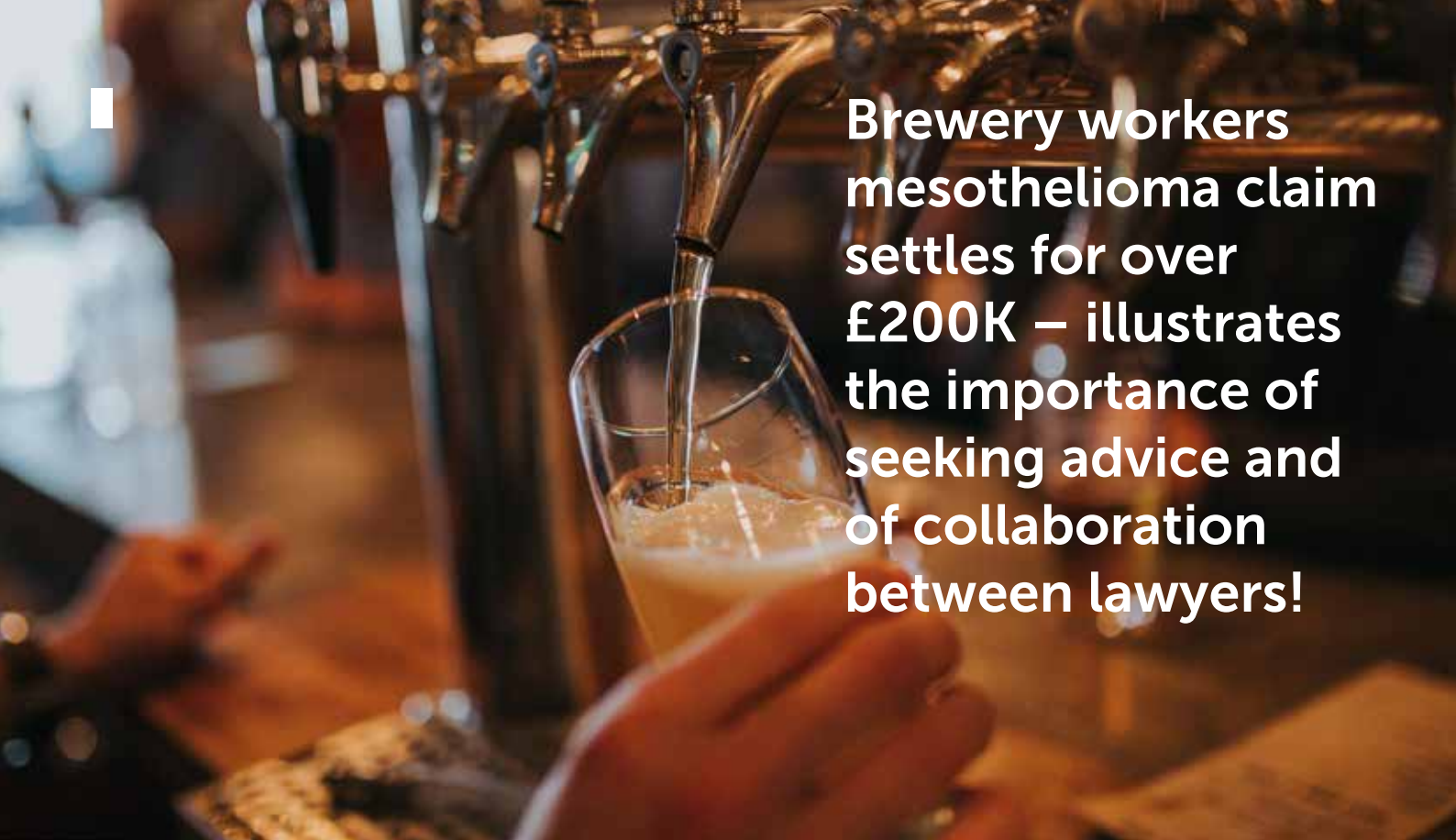
The evidence supported Brian's claim but the former insurers of the company denied liability. It was therefore necessary to commence court proceedings in the High Court. Trial was listed for January but days before the Defendant finally made an offer of settlement which Brian accepted.

Importantly, settlement was agreed on a provisional damages basis which means if Brian is unfortunate enough to develop a further asbestos related disease or his current condition was to worsen, he could claim further compensation in the future

Brian said: "I was extremely grateful for the friendly but professional and sympathetic approach I received especially in explaining the law in a way I could understand and guiding me through the process to a successful conclusion."



Jennifer Seavor, Senior Associate



Brewery workers mesothelioma claim settles for over £200K – illustrates the importance of seeking advice and of collaboration between lawyers!

When R was diagnosed with mesothelioma his first thoughts about where he had come into contact with asbestos were that it must have been when he lived in South Africa as a child. He could remember the local asbestos mines being dusty when the wind blew in a certain direction. He assumed that a claim and government assistance to help him and his family (he was married and had a teenage son) was not possible.

However, he attended a local support group and got talking to another client of ours, and decided to ask us for legal advice. We visited him at home in Gloucestershire and spoke to him about his employment history. RW had worked as a self employed aviation photographer for most of his life, but as a young man, after

returning from South Africa, he worked in a brewery for a few months, and also in a pub in Charlbury that was undergoing refurbishment. Having only worked in each place for a relatively short time, his recollection of the circumstances was not entirely clear – but he could remember seeing maintenance workers at the brewery. He also remembered the pub being dusty when they refurbished it. The pub insurers could not be traced, so an application to the government's fund of last resort was also lodged.

Sadly R's condition deteriorated and he died, but his widow was able to continue with the claim on behalf of herself and her son. R was earning a relatively low wage by the time he was diagnosed, but he did much of the household work and enjoyed helping his son with his studies. When the time came he intended to teach him to drive (a prospect his mother was dreading!!)

Research online uncovered details of another claim against the brewery, pursued by our very own Nicky Howe before she joined us!! She was able to share her own witness evidence, which gave a very clear description of the working conditions there.

Court proceedings were commenced and shortly before the date for the first court review hearing an offer of over £200,000 was received and accepted, in addition to repayment of the sums due to the hospice for the care they provided to R.

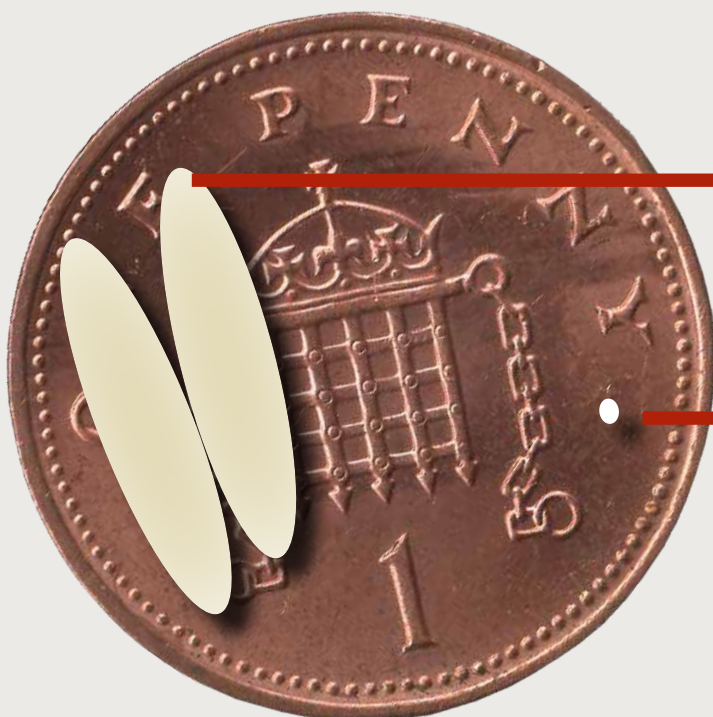
We had always been a little concerned about the fact R only worked at the brewery for a relatively short time. However when his son was told about the offer his teenage son commented that the brewery would be keen not to defend the case to trial as if it was successful it would certainly "open the floodgates" for other workers who had been there for longer!

■ The dangers of exposure to asbestos – let's raise awareness!

I started my training contract at Royds Withy King in September 2019 and my first seat has been in Personal Injury with the mesothelioma and asbestos disease team. Prior to September I worked in commercial property law for 4 years so it is a completely different area of law and I have already learnt an astonishing amount from the dedicated and expert team.

Before joining the team I knew asbestos was dangerous, but I didn't realise quite the extent of the danger. One of the things that has struck me the most is the myth that asbestos is only dangerous in large doses and only those who have worked with it for years and who have had heavy exposure are at risk. Already I have assisted with mesothelioma cases for doctors, teachers and office workers; people who have never worked with asbestos yet who have developed this dreadful disease.

The photograph below shows 20,000 fibres of asbestos (that is not a typo!) in comparison to two grains of rice on a 1p coin. These fibres are so small they are difficult to even see yet only a few could potentially cause mesothelioma.



2
grains of rice

20,000
asbestos fibres

Despite the apparent public knowledge of the dangers of asbestos, when discussing it with my family, friends and colleagues from other departments, I found many did not realise about the miniscule levels of exposure required to cause the disease nor about the incredibly long latency period. For mesothelioma, the latency period is usually between 10 and 60 years perhaps even longer. This means that a person might have been exposed to asbestos as a teenage apprentice in the 1960s, had no symptoms throughout their life and then in the year 2020 be diagnosed with mesothelioma completely out of the blue and be given only months to live. It is a terribly cruel disease.

Additionally, I have been shocked by stories of how blasé even professionals can be about the risks associated with asbestos. I have heard tales of engineers, electricians and plumbers removing asbestos themselves to avoid incurring the expense of calling in qualified licensed asbestos removal contractors. Not only does this put the individual at risk, but the potential risk to members of their families from dust on the clothes and to members of the public is vast. There are more and more cases of secondary exposure to asbestos whereby a person

that has worked with asbestos unknowingly brings the asbestos fibres into the home, which subsequently puts their family at risk of developing an asbestos related illness.

It must also be remembered that if building work is undertaken at your home or if you work in an trade or industry where you may come into contact with asbestos, you must take care to minimise the risk. There is guidance on the Health and Safety Executive website and strict laws and regulations dealing with how asbestos should be dealt with and be removed. There are numerous duties that must be complied with, and these duties extend to those who are self employed. Obligations include a duty to manage the materials containing asbestos, even if those materials are not and will not be disturbed. Training is mandatory for any person likely to be exposed to asbestos during their working day. Asbestos removal specialists should be wearing a full-face mask respirator and overalls when removing asbestos-containing materials. Any clothes contaminated with asbestos should be bagged or contained to avoid exposure.

Care should also be taken at home. In my old house, my dad had a garage with

an asbestos sheet roof. Had he disturbed it in any way he would have been at risk as would others in the vicinity and he would have needed to notify the relevant authority. Had he wanted it removed, he would have needed to contact an appropriate asbestos removal specialist. Whilst asbestos removal is costly, potentially someone could lose their life from being exposed and it is impossible to put a price on that.

My plea is therefore simple. Please spread the word about the dangers of asbestos. Tell anyone who will listen! Share this article with friends, family, neighbours and tradesmen. There is still so much asbestos around in buildings up and down the country, the risk is not a thing of the past. Everyone needs to know about the potential dangers associated with exposure to even a small amount of asbestos.



Layla Hardin, Trainee Solicitor

News from our team

We are delighted to announce that we have some more new recruits to our specialist team!

Eloise Tunmore recently joined our Oxford team as a Legal Assistant, having previously worked at Irwin Mitchell. Eloise is a fluent Arabic speaker and has a keen interest in human rights. She is assisting Helen and Rachel.

Layla Hardin has also been working with our team in Bath for the last few months as a Trainee Solicitor. Layla worked in property law for 4 years before starting her training contract. Layla is enjoying helping us to pursue cases for our clients as quickly as possible and to obtain the compensation

they undoubtedly deserve. In her spare time, Layla volunteers for Bath Gateway Out and About, a local Mencap charity that provides social activities for adults with learning disabilities.

Claire Kerby was welcomed in to our Bath team in December as a Secretary. Claire worked for Withy King in the Clinical Negligence team in the 1990s but had a career break to have her family. She returned to work in May 2019 as a medical secretary at the Royal United Hospital in Bath but was keen to come back to the legal world and will be assisting Jennifer and Emily. Outside of work Claire is learning to play the piano, enjoys baking and is currently training for the Bath half marathon.

David Hughes also joined our Oxford team in January. He is an experienced Solicitor and previously worked at Curtis Law in Preston. David has relocated to the south to join our team and we are delighted to have him on board.

We are also looking forward to welcoming Cathy Wood to our growing London team. Cathy will join us in early February as a paralegal. Cathy is very experienced in asbestos related cases having worked previously for Irwin Mitchell within their London team so she will bring a wealth of experience with her and will be assisting Helen and Nicky. Outside of work Cathy likes travelling, cooking and dining out with friends.

Recognition for our team in The Times Top 200 Law Firms review

Our team was delighted to receive recognition for its reputation, expertise and dedication in the Times Top 200 Law Firms feature – where we were commended for our personal injury and clinical negligence specialist teams. The article focussed on our landmark decision in *Carey V Vauxhall Motors* [2019] – the first successful secondary exposure to asbestos case to go to trial in England and Wales.





Update from Mesowarrior, Mavis Nye

The inspirational Mavis Nye recently updated her blog with details of how she continues to fight mesothelioma, 10.5 years after her diagnosis. Mavis received Keytruda as part of a clinical trial 9 years ago, and responded amazingly well. She and her husband Ray both received doctorates last year in recognition for their tireless work raising awareness of the dangers of asbestos and promoting education for medics, research into a cure, and providing huge support to other mesowarriors.

Mavis received further immunotherapy treatment this year, initially with good results, but after 4 infusions her tumour began to grow again, and she enrolled on a brand new trial at The Marsden - The Hyper Trial - A trial of pembrolizumab and a new drug called guadecitabine for people with solid tumours (HyPeR).

We are keeping everything crossed for a positive result!

The Mavis Nye Foundation recently awarded their first research grant to Simon Bolton who is a Clinical Nurse Specialist at Harrogate District Hospital, covering the west and north Yorkshire region.

Mavis's husband Ray is also a very talented artist and Mavis also plans to auction off Ray's paintings as the two that were donated to Mesothelioma UK GEMS Event were in big demand. Our very own Jennifer Seavor and Rachit Buch – a barrister at 12 KBW had a bidding war and this time Rachit won! Jen still hopes to secure her own original Ray Nye soon! (above).

Mavis also hopes to be able to present Mesothelioma UK with the money for 2 years + to sponsor a Mesothelioma UK Nurse in Kent in her Foundations name

Mavis's blog thanked everyone who has believed in her and backed her over the years.



■ Wittenoom: A town wiped out by asbestos

Wittenoom, a township situated north-north-east of Perth, was mainly pastoral up until the 1930's, when mining for blue asbestos began in the area. The first mine at Yampire Gorge closed in 1943, when mining commenced at Wittenoom gorge. By 1947, the mine had become so successful that a company town was built around the mine.

By the 1950's Wittenoom had become the largest town in the Pilbara region and throughout the 1950's and 1960's it was Australia's only supplier

of blue asbestos. However, by 1966, increasing knowledge of the health concerns surrounding blue asbestos and the decreasing profits from the mine forced its closure. However, the legacy of mining blue asbestos lives on in the town.

Thousands of Wittenoom's former residents and workers have developed and died from asbestos related conditions, leading the state government to refer to the town as, " the greatest occupational health and safety tragedy in Australia – comparable to the Chernobyl and Bhopal catastrophes", leading the town to be officially classified as a contaminated site.



The air in Wittenoom remains full of toxic asbestos fibres even today. It is considered to be one of the most contaminated places in the southern hemisphere. Referred to as Australia's Chernobyl, it once had an estimated 20,000 workers and residents. Even in the 1950's conditions were said to be "disgraceful, even by the standards of the day", where asbestos shovelling competitions were held, children played in the asbestos dust and families regularly went swimming in Wittenoom gorge. From an image taken of the asbestos shovelling competition in 1962, only 2 of the men pictured are thought not to have died from asbestos related illnesses. While the mine closed down, asbestos tailing dumps in the surrounding gorges remain, causing nearby creeks to become contaminated with asbestos spread by rain and erosion. 3 million tonnes of asbestos tailings are thought to have been left behind in gorges and areas surrounding the mine. Ben Wyatt, Minister for Lands and Aboriginal Affairs said, "It is virtually impossible to clean the area to a level where it would then be considered safe for human habitation".



Rachel James, Senior Associate

In 2007, Wittenoom was officially degazetted to remove it from official maps and road signs and the Wittenoom Closure Bill 2019 has enabled the compulsory purchase of the properties of the residents who still remained by state government, to enable the complete closure of the town in interests of public safety. Whilst the legacy of the Wittenoom mine is becoming clear, how many other mining towns like Wittenoom are out there and what is being done to manage their legacy?

Events

It's been a busy few months for the asbestos disease community. We have been delighted to attend, sponsor and host some wonderful events and catch up with the clinicians and nurses that diagnose, treat and care for our clients. Here's an overview:

Erase Meso hold their first annual ball and raise £100,000 in their first year for research



Erase Meso is a new charity formed by Paul Cook who was diagnosed with mesothelioma in November 2017 at the age of 43. Paul has had surgery and treatment and is currently in remission but set up the charity to fund research and find a cure for mesothelioma. We sponsored the charity's first fundraising ball which was held on 4 October 2019 at The Brewery, EC1. It was

an amazing event and we are in awe of everything that Paul and his wife Jill have achieved. At Christmas the charity announced that they have raised a whopping £100,000 in their first year. An amazing achievement and testament to their hard work and dedication.



■ Jen presents on the legalisation of medicinal cannabis and CBD oil at the Mesothelioma UK Patient & Carer Day and Merseyside Asbestos Victims Support Group (MAVS)



On 4 October 2019, Mesothelioma UK held their 14th annual patient and carer day at The Imperial Hotel in Blackpool. Jen was honoured to have been asked by the charity to be a guest speaker on the topic of medicinal cannabis following the legalisation of it in November 2018. Jen gave the audience an overview of the medicinal cannabis drugs available, the conditions they are currently being prescribed for and how mesothelioma patients could try to access them for pain control. Jen also discussed the growing CBD oil industry and gave some guidance about what to look out for.

Following her presentation, Jen was invited to attend the monthly meeting of the Merseyside Asbestos Victims Support Group (MAVS) in November and travelled to Liverpool to give her presentation to the group. There were many mesothelioma patients and their carers in attendance and a lot of interest as to whether it could be a pain control option.



■ 20th anniversary annual conference sees a rebranding of The National Lung Cancer Forum for Nurses to Lung Cancer Nursing UK

On 14th and 15th November 2019, our team sponsored and attended The National Lung Cancer Forum for Nurses annual conference. This was a particularly special event as was the 20th anniversary conference and saw the launch of the new brand - Lung Cancer Nursing UK.

The conference was held at the Radisson Blu Edwardian Hotel at London Heathrow. On Thursday 14th November, Helen Childs and Nicky Howe attended and our stand proved to be very popular with the nurses and other delegates passing by during the refreshment breaks throughout the day.

The line-up for the day consisted of some great speakers with a variety of different presentations and subject matters focusing on lung cancer/surgery/treatment/patient care and a mesothelioma update together with case studies.

A drinks reception followed the conference in the early evening where everyone had an opportunity to network with their conference colleagues. Drinks were followed by an exceptional Gala Dinner and entertainment. Jennifer and Rachel joined the networking and dancing and stayed on Friday. They had chance to listen to some of the talks including that from keynote speaker, Chris Draft, former NFL



star who is now a dedicated lung cancer awareness advocate following the death of his wife Keasha from lung cancer.

Jen was also delighted to have collaborated with Mesothelioma UK nurse Simon Bolton and 12 Kings Bench Walk barrister John Paul Swoboda on an abstract which was accepted. This was presented in poster form at the conference and discussed the issues around clinical trials and non NHS funded treatments and how patient autonomy in treatment decision making is key. The team called for medical professionals and lawyers to work together to ensure that

patients are fully informed about all their treatment options.

Since the conference, the team have submitted the abstract to the British Thoracic Oncology Group (BTOG) for their annual conference in Dublin in January 2020 and for the International Mesothelioma Interest Group (IMIG) annual conference in Brisbane in March 2020 and it has been accepted for both!



■ Mesothelioma and lung cancer education day for medics in London

On 18th October 2019, we held our third annual London study day, for nurses and clinicians involved in the diagnosis, treatment and care of patients with mesothelioma and lung cancer at our London Office near St Pauls Cathedral.

Speakers included:

▪ Nicky Howe

Chartered Legal Executive in our London team, who opened the day with a talk about how people are exposed and what diseases asbestos can cause.

▪ Tony Millson

Wills and probate lawyer in the RWK London private client team provided a fascinating talk on helping ill and elderly patients to manage their affairs, wills and lasting powers of attorney.

▪ Jennifer Seavor

Senior Associate from our Bath and Swindon team provided an informative talk on the role of the Coroner, post mortem examinations and inquests for asbestos disease patients.

▪ Joanne Hargrave

Mesothelioma Clinical Nurse Specialist at St Bartholomew's hospital provided an extremely interesting talk on the role of thoracic surgery in mesothelioma.

▪ Dr Riyaz Shah

Consultant Medical Oncologist at the Kent Oncology Centre provided an update on immunotherapy and oncology treatments for mesothelioma and lung cancer, covering recent developments in immunotherapy trials.

▪ Rachel James

Senior Associate from our Oxford team spoke on funding private immunotherapy and other non NHS treatments, including the input needed from medics in order to secure further treatment funding.

▪ Professor Charles Twort

A Consultant in Respiratory Medicine at Guys and St Thomas's NHS Foundation Trust, provided an invaluable updating talk on diagnosing mesothelioma and lung cancer.

▪ Rachel Thomas

Mesothelioma Clinical Nurse Specialist at Guys and St Thomas's NHS Foundation Trust provided an inspirational talk on helping mesothelioma patients manage symptoms and pain

▪ Helen Childs

Head of our Mesothelioma and Asbestos disease team, gave a passionate talk on what you need to know about compensation claims and benefits for asbestos patients including case studies.

▪ Mavis Nye

Mesowarrior and asbestos campaigner, provided a deeply moving talk on asbestos in schools and gave a personal perspective.

All of the delegates rated the education day as excellent or good. Feedback included:

"An excellent and informative day from which I have gained much information and enjoyed."

"Extremely informative and well put together, relevant & interesting."

"A fantastic day. Thank you for the opportunity. All speakers were inspiring"

We are intending to run a further education day on 18 September 2020 in our London office.

To book a place or register your interest please email:

Helen.Childs@roydswithyking.com



Christmas Carols at Guys & St Thomas' Hospital

On 3rd December 2019 Nicky attended Guy's Hospital Chapel for the first GSTT Mesothelioma Carol Service fundraiser. Mesothelioma UK nurse, Rachel Thomas, organised the event and it was a full house! The evening was made up of readings in between well known Christmas Carols. It was a wonderful night followed by mince pies, gingerbread, drinks and canapes in a hospitality suite within the hospital exhibiting great views over London. A good time was had by all and an impressive amount was raised on the night for the GSTT support Group and Mesothelioma UK.

HASAG Christmas lunch

Helen, Jennifer, Rachel and Nicky also attended the HASAG Christmas lunch on 5th December 2019 in Portsmouth to support the fantastic work that HASAG and their supporters do in helping patients with asbestos illnesses and raising awareness of asbestos diseases.

The theme was dreadful Christmas jumpers, some of which were very impressive! After a delicious lunch, Elvis made his annual Christmas visit, singing some of his greatest hits and there was, as always, a huge raffle!

We shared a table with Angie and her family who raised an amazing £3,800 for HASAG last year and Lynne from HASAG presented her with a token of gratitude for their amazing support.

Rachel said "We would like to say a big thank you to HASAG and all of the patients and supporters who hosted the lunch. Thank you very much for inviting us to such a fabulous festive event!"

■ Annual Moustaches for Meso in our office!



On 6 December 2019, in preparation for their Christmas party, some of our team adorned themselves with the most stylish moustaches they could find to raise money for Mesothelioma UK.

Whilst some of us looked more dashing than others, we gave our colleagues a laugh and raised £50.00

■ Swindon & Wiltshire Asbestos Support Group (SWASG)

Meetings are held on the last Friday of every month from 3-5pm in the Garden Room at Christ Church Community Centre, Cricklade Street, Swindon, SN1 3HB.

FOR MORE INFORMATION:

Email - support@swasg.com

Telephone - 01793 847 707

FIND US ON SOCIAL MEDIA:

Facebook - search

'Swindon and Wiltshire Asbestos Support Group'.

Twitter - @SWAsbestos

■ Asbestos drop in clinics:

Free specialist, without obligation advice for those diagnosed with an asbestos disease or worried about exposure. We can also assist with applications for government benefits.

SWINDON

Every Thursday 9am – 5pm at our Swindon office

Royds Withy King, 34 Regent Circus, Swindon, SN1 1PY

OXFORD

Every Monday 10am – 4pm at our Oxford office

Royds Withy King, North Bailey House, New Inn Hall Street, Oxford, OX1 2EA

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