

# LEIGH DAY



## Asbestos Disease Lawyers

Mesothelioma and Asbestos Diseases

Claims Guide for Patients

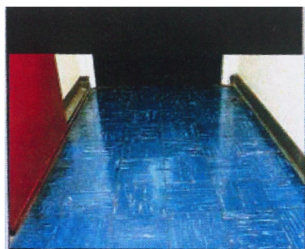
## An Example of Asbestos Products



Asbestos cement roof



Asbestolux door panel



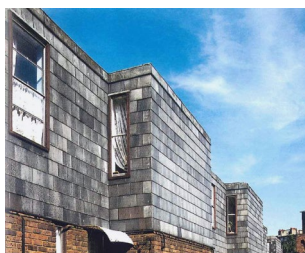
Asbestos floor tiles



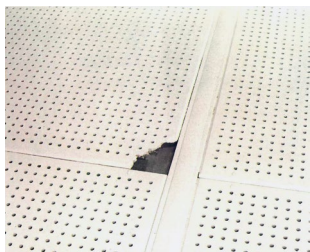
Asbestos sprayed steel beams



Asbestos spray on ceiling



Asbestos cement tiles



Asbestos ceiling tiles



Asbestolux ceiling tiles



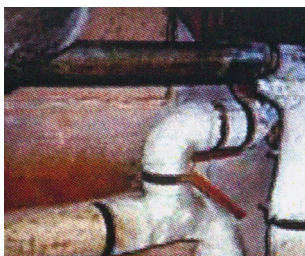
Asbestos insulating boards



Asbestolux in a wall



Asbestos pipe lagging



Asbestos pipe lagging

## Introduction

Unlike some law firms, we exclusively represent victims of asbestos disease and never act for employers or insurance companies who defend these claims.

Our lawyers have represented asbestos victims in almost all of the most significant asbestos and industrial injury disease cases in the UK over the last 25 years and we have brought numerous successful public law claims and challenges to preserve the rights of asbestos victims. These cases have set precedents which have benefited countless asbestos disease sufferers and is the reason we stand out amongst our contemporaries.

### How we can help you:

- We give you advice as to whether you are able to obtain compensation.
- We regularly obtain compensation for our clients to pay for private medical treatment which is not available on the NHS.
- We will advise you on a 'no win, no fee' basis and if you win, you keep 100% of your compensation.
- We will come and visit you at your home, in a hospice or wherever you may be.
- We will take a detailed statement of your work history, to pin-point where you came into contact with asbestos.
- Once we have identified where you were exposed to asbestos, we will need to trace the employers or employer's liability insurers.
- We will obtain a medical report on your asbestos disease.
- We will start a Court case quickly wherever possible. Most cases settle out of Court.
- You will not need to attend Court or travel to our offices if you are not well enough to do so.

We have the experience and have built up good relationships with Medical Practitioners and Court Experts and we are well known and respected within this area of law. Our lawyers regularly give lectures on asbestos disease law and are often asked by other lawyers to give advice on how to deal with cases.

## What you can claim for

No amount of money can make up for the harm that has been caused by past asbestos exposure, but compensation can be vital in supporting both the victim and their loved ones through what are usually very difficult times.

Asbestos diseases include:

- Cancers such as mesothelioma & lung cancer
- Non-malignant diseases such as asbestosis and pleural thickening

In asbestos claims, the typical elements of compensation include:

- **Pain and suffering ('General Damages')**: for the physical and emotional harm caused.
- **Lost earnings**: you can claim the wages you would have received if you were still at work, including bonuses and pay rises. Self-employed can claim for their loss of business income.
- **Care**: a sum can be claimed for the support provided by friends and family (or even professional nurses) to represent the time spent helping.
- **Equipment**: stair lifts, shower-seats, reclining chairs and electric beds can make life easier and the cost can be claimed, along with delivery and installation charges.
- **Household and other services**: If an asbestos illness stops you, or your partner, doing jobs around the house, or looking after a loved one who needs care, the costs to replace those services can be claimed.
- **Pension loss**: if a diagnosis affects your life expectancy, you can claim lost income such as pension.
- **Other expenses**: such as travel costs and prescription charges.
- **Private health care costs**: including treatment and therapies, some of which are not available on the NHS.
- **Hospice care costs**.
- **Fatal claims**: We also represent families of sufferers who have died. In addition to most of the above elements we can recover funeral costs and compensation to reflect the loss of a husband, wife or parent.

## Mesothelioma & Me® #MesotheliomaAndMe

Mesothelioma & Me is a film series in which our clients share heartfelt and open accounts of their experience living with mesothelioma. The films follow their thoughts on the journey to justice, from the first signs of symptoms through to the relief and sense of closure that comes with receiving compensation. Through these films, we aim to ensure their voices are heard, offering hope, strength, and solidarity to others facing similar challenges on their paths to justice.

In addition to our clients' films, we have produced a sequence of films with two doctors, Professor Peter Szlosarek and Dr Riyaz Shah, addressing the most commonly asked questions from mesothelioma patients. These films offer valuable insights, but please note that they are intended only as a guide and should not be taken as medical advice. Every patient's situation is unique, and all individuals should seek personalised advice from their medical practitioners.

Here is a list of the films which can be found on our website

[www.leighday.co.uk/mesotheliomaandme](http://www.leighday.co.uk/mesotheliomaandme)

### Medical Consultants Films

- Benefits of seeking legal advice
- What is mesothelioma?
- What is immunotherapy?
- What is radiotherapy?
- Treatment options
- Why is there fluid in my lungs?
- What can I take for my pain?
- What causes fatigue?
- Life expectancy
- Travelling on aeroplanes
- Can I exercise?
- Should I start a special diet?

### Client Journey Films

- Noticing mesothelioma symptoms
- Experiencing a mesothelioma diagnosis
- Life after an asbestos cancer diagnosis
- Engaging with Leigh Day asbestos lawyers
- Claiming for justice
- Receiving compensation for mesothelioma

## Maintenance man exposed to asbestos at Madame Tussaud's

We were instructed by John O'Connor following his diagnosis with mesothelioma. John had worked at Madame Tussaud's in the maintenance team. He recalled that in the late 1980s he had been seconded to their "Rock Circus" exhibition in the London Pavilion. He recalled working in the basement of the building, using an airline to remove dust from pipes prior to painting the ceilings and walls for the exhibition. He considered that the pipes had been lagged with asbestos.

We wrote to Madame Tussaud's, who denied liability on the basis that the whole building had been refurbished 3 years prior to the work undertaken by John. They argued the refurbishment included the removal of any asbestos lagging from the pipes in the basement.

Despite this challenge, we issued proceedings on John's behalf and advanced his case. During the legal case, thousands of planning documents were unearthed, which we reviewed with John. We considered that John's evidence was strong and that the information provided by the company did not give a definite position in relation to the removal of asbestos lagging, but Madame Tussaud's stuck to its position.

At our request, an Evidence on Commission hearing was arranged at which John's evidence was heard. Following the hearing, Madame Tussaud's continued to deny liability; however, with about a month to go until trial, Madame Tussaud's was persuaded to enter negotiations and the claim settled for a significant sum despite the strong denials of liability.



The Beatles at Madame Tussaud's in London

## BBC musician successfully sued the BBC after being exposed to asbestos at iconic studios

We were instructed by Christopher Larkin who played the horn in the BBC Symphony Orchestra at the iconic BBC Maida Vale Studios, where celebrities such as Bing Crosby, The Beatles & Pink Floyd had recorded.

The BBC denied exposing Christopher to asbestos and denied retaining any relevant documents. We refused to accept this and made an application to the High Court for the company to provide information and evidence to us in relation to asbestos. Thereafter, hundreds of documents were obtained. We analysed these and noted that the premises did in fact contain asbestos.

The BBC still continued to deny exposure, so we sent the BBC formal questions, which put the BBC on the back foot and rather than respond to these questions because it would have been detrimental to do so, the BBC finally admitted liability and the family received substantial compensation.

The case is significant as the Maida Vale Studios are still in use and it was reported widely.



## Doctor exposed to asbestos at the hospital where she worked

We represented Dr Kate Richmond who was exposed to asbestos at Walsgrave Hospital in Coventry where she worked between 1998 and 2004.

At the time of being diagnosed, she was living in Melbourne, Australia, with her husband and two small children aged 8 and 11.

Kate was only 43 when she was diagnosed. It was clear that any exposure to asbestos she had suffered must have occurred relatively recently and was most likely to be during her time as a trainee doctor at Walsgrave Hospital. Her case is a prime example of the latest 'wave' of younger asbestos victims who may not have worked with or around asbestos, but still suffered exposure from working in older buildings which contain the remnants of England's terrible asbestos legacy.

We extensively researched asbestos in the old Walsgrave Hospital, which had been demolished in 2006, and appealed in the media for witnesses which led to statements from over 20 former members of staff who provided evidence of asbestos being present at the hospital.

We issued court proceedings and won a contested liability hearing proving the hospital trust negligently exposed her to asbestos. The settlement of the claim included provision for the continuing payment of Dr Richmond's treatment, to ensure she could have complete freedom of choice in the treatment she subsequently underwent.



**Dr Kate Richmond and her family**

## Painter died after being exposed to asbestos at Quiggins, the popular shopping centre in Liverpool

We represented Steven Doran in his successful legal case against Quiggins.

Steven sadly died at the age of 54 from mesothelioma. He was only 20 years old when he was employed by Quiggins to paint their building whilst it was being converted from a warehouse into a shopping centre.

Between 1988 and 1989, Steven painted steel beams in the ceiling which were coated with sprayed asbestos. The building was being refurbished from an egg warehouse and a storage facility into a shopping centre with cafes.

In 2007, the shopping centre was demolished to make way for the current Liverpool One shopping centre. During this period, inspections were carried out regarding the removal of asbestos.

Steven was successful in his legal case as evidence was obtained from the person responsible for inspecting the building and was able to confirm the existence of asbestos.

Aviva, the employers liability insurers of the building, were forced to admit the existence of asbestos in the building once the court case had commenced. They admitted that Steven had been exposed to dangerous levels of asbestos and agreed to pay him a substantial sum before the trial commenced.



## Plumber diagnosed after watching a TV advert which stated "If you have a cough for more than six weeks, contact your GP"

We represented David Cawser, who commenced working as a plumber in August 1968 for KL George & Co Limited, a plumbing and heating contractor. The company worked on commercial and domestic plumbing and heating contracts within a wide radius of Burton upon Trent. During his employment he was regularly exposed to asbestos in various ways including working in the vicinity of ladders who were spraying asbestos; using asbestos caulking rope; cutting and installing domestic flues; sawing holes in ceilings made of Artex and working in boiler rooms lagged with asbestos.

In September 2019 David noticed that the quality of his voice was degrading. He began to suffer chest pain and in January 2020 attended his GP. He was urgently referred to hospital for investigation of suspected upper gastrointestinal malignancy. This was followed by a gastroscopy which did not reveal any malignancy. In June 2020 David suffered from a cough. Whilst lying in bed there was an advert on TV saying 'if you have a cough for more than 6 weeks contact your GP' and so he telephoned his GP who arranged an appointment at the hospital for an X ray. A CT scan revealed a moderately large pleural effusion. Further investigation ensued in the form of a biopsy and on 24 July 2020 David was given the news that he was suffering from Sarcomatoid mesothelioma. This is usually a very aggressive form of mesothelioma.

David settled his case in September 2022, whilst he was receiving immunotherapy treatment on the NHS. He preserved the right to claim the cost of private mesothelioma related medical treatment in future, should this be required. David's treatment on the NHS ceased due to an adverse reaction to the immunotherapy. He has since received chemotherapy treatment and has very recently undergone stereotactic radiotherapy treatment in Oxford, which David says has made him feel different inside and much more like his old self before his diagnosis. All his private treatment has been paid for by KL George & Co's employment liability insurers.

David is a remarkable gentleman who is now 4 years post-diagnosis.

## Judge makes highest award for pain and suffering to a trainee nurse/ healthcare support worker

We dealt with Mrs Ghoorah's case. Her husband died from mesothelioma as a result of being exposed to asbestos at various hospitals throughout Essex including St Margaret's, Runwell, Harold Wood and Little Highwood. Mr Ghoorah worked as a trainee nurse and healthcare support worker for ten years.

Sadly Mr Ghoorah was only 45 years old when he died. The Judge awarded a substantial sum to ensure that Mrs Ghoorah and her two young children have enough money to take care of their financial needs for the rest of their lives.

In addition to awarding compensation to cover loss of earnings and cost of childcare, the Judge recognised the pain and suffering which Mr Ghoorah endured and awarded the highest sum for pain and suffering made to a victim of mesothelioma in the UK.



The Ghoorah family

## Exposure to asbestos in cosmetics and talcum powder

We represented Hannah Fletcher after she was diagnosed with peritoneal mesothelioma at the age of 41. Hannah had not been exposed to asbestos at work or home but instead, it was alleged that she was exposed to asbestos contained in talcum powder and cosmetics from about 1976 to 2001.

Hannah gave evidence that she recalled playing with her mother's talcum powder as a child, creating a cloud of dust with the puffer. Then, as a teenager and adult, she used face powder.

As it is very difficult to bring a successful legal case for exposure to asbestos contained in talc in the UK, we worked with a New York attorney to commence court proceedings in the Supreme Court of the State of New York.

However, to avoid going to trial, the cosmetic companies reached a resolution with Hannah and she agreed to a substantial financial settlement, which she was happy with. No admission of liability was made by the cosmetic companies.

Listen to Hannah on the BBC Radio 4 podcast series  
**"Talc Tales: How they made us doubt everything"**



## State Benefits

We are happy to provide free advice and assistance to our clients in making an application for benefits.

We will assist our clients in completing the application forms for State benefits. We will deal with Government agencies and obtain medical evidence, so that you do not need to attend any more appointments than is necessary.

Our clients have found our guidance and assistance in completing applications for benefits to be particularly helpful, as it provides them with a means of obtaining immediate support. In most cases, our clients receive financial support within a couple of weeks.

The benefits to which our clients are usually entitled to include:

- **Industrial Injuries Disablement Benefit (IIDB):** this is a weekly or monthly payment for people who develop an asbestos-related disease as a consequence of their exposure at work. It can pay up to £221.50 per week, depending on the severity of the illness.
- **Pneumoconiosis Workers' Compensation (PWC):** this is a Government compensation fund for people who develop a disease due to asbestos exposure at work. Payments can be in the tens of thousands of pounds. If you do not qualify for this fund, having not been exposed to asbestos at work, you will still be able to claim under the Diffuse Mesothelioma Scheme (below).
- **2008 Diffuse Mesothelioma Scheme (DMS):** this is a Government fund for mesothelioma victims who do not qualify for a payment under the PWC fund. The only qualifying factor is a diagnosis of mesothelioma caused by asbestos exposure in England or Wales.

## Payments Under the Mesothelioma Act 2014

The Mesothelioma Act has set up a Mesothelioma Payment Scheme known as the DMPS scheme. This scheme provides a fund of last resort, from which mesothelioma victims may be entitled to receive a payment.

If the employer that caused your disease has gone out of business and we have been unable to locate the company's insurers, you may still be entitled to seek compensation under the Mesothelioma Act 2014. To qualify you must have been diagnosed on or after 25 July 2012. Payments are made according to an age-based tariff and correlate with the age of the person with diffuse mesothelioma when they were diagnosed.

We have considerable experience with the scheme and are able to assist clients with the process. We have seen payments turn around in a matter of weeks.

### Listed are examples of the types of work and other ways some of our clients have been exposed to asbestos

#### Exposed using asbestos products:

- Car mechanics
- Carpenters
- Ceiling fixers
- Construction workers
- Dockyard workers
- Electricians
- Engineers
- Factory workers
- Jewellery makers
- Laboratory technicians
- Ladders
- People working in refrigeration manufacturing
- Plumbers
- Power station staff
- Riggers
- Scaffolders
- Scientists
- Shipwrights
- Shipyard workers
- Shopfitters
- Slings
- TV set designers

#### Exposed in buildings:

- Bankers
- Caretakers
- Cleaners
- Doctors
- Firefighters
- IT/computer technicians
- Locksmiths
- Maintenance workers
- Military service personnel
- Musicians
- Nurses
- Office workers
- People working in TV/film studios
- Police personnel
- School pupils
- Shop workers
- Teachers
- Telephone engineers
- Telephone operators
- Textile industry workers

#### Exposed using talcum powder/cosmetics:

- Men and women using talcum powder/foot powder/make up containing asbestos fibres

## Why choose Leigh Day

Our team has a formidable reputation in asbestos litigation as a consequence of representing victims for over 25 years in the UK and abroad.

- We will act on a 'no win, no fee' basis and our clients keep 100% of their compensation.
- Our team has achieved the highest compensation awards for pain, suffering and care for mesothelioma victims.
- We only act for victims of asbestos diseases and never defendants/employers.
- We visit clients at home, hospital, or wherever they choose.
- We are recognised by the Legal Directories as one of the country's leading asbestos disease legal teams.
- We work closely with asbestos disease charities and one of our lawyers has raised over £60,000 and paid it to hospitals to help fund research into a cure for Mesothelioma.
- We deal with cases quickly under the High Court fast track system and aim to obtain compensation for our clients within three to six months.
- When an inquest takes place we attend to represent the victim's family and deal with the Coroner.
- We are members of the Law Society Personal Injury Panel.
- We are accredited members of the Association of Personal Injury Lawyers and help run the Occupational Health Group.
- We are involved in government consultations regarding changes to the Law in relation to mesothelioma and other asbestos diseases.
- Our cases set precedents which other law firms follow.



**Kevin Johnson** ★★★★★

We contacted Leigh Day and Kevin Johnson took on our case. Although our case had some difficulties, Kevin was very professional and extremely knowledgeable about mesothelioma. He always kept us informed showing empathy and giving us reassurance about our difficult case. No matter what obstacle was put before Kevin he always demonstrated his expertise and determination to overcome every problem. Kevin worked very hard for us and was successful in winning our claim. I can not recommend this firm highly enough. Thank you Kevin and team.

**Catriona Ratcliffe** ★★★★★

I couldn't recommend this company more with their service. I dealt with Catriona Ratcliffe who went above and beyond for me, nothing was ever too much for her. She made the process easy and took the stress of having deal with it away from myself and my family. She talked me through everything, making sure that I understood every stage of the process. To her I wasn't just a 'client, I was a real person with feelings experiencing a life changing diagnosis. She validated everything I told her whilst also respecting my dignity at this most difficult time in my life. I honestly couldn't recommend Catriona enough. She made such a difference with her support. I really believe that she had my best interests at heart and without her, I wouldn't have been able to deal with anything and would not have had the same success. Catriona is extremely knowledgeable and experienced. You will not need to look anywhere else for support. Just give Cationa a phone call and you won't regret it.

**Daniel Easton** ★★★★★

Daniel's meticulous and caring approach towards proving my husband Tony's case against his former employer was a challenging one to take on. Daniel's guidance throughout enabled a successful conclusion to be reached. His skilful negotiation with the insurers enabled us to have a larger payment than would otherwise have been possible.

**Andrew Cooper** ★★★★★

We contacted Leigh Day Solicitors in connection with a deceased relative having died of industrial asbestosis. Leigh Day appointed us Solicitor Andrew Cooper who has been nothing short of fantastic. He's been sympathetic throughout the last 18 months, he's carried out numerous investigations on our behalf and he's been full of useful advice to us in this case. I cannot recommend Andrew Cooper and his team strongly enough for their support and dedication for our deceased relative. Thank you once again.

**Claire Spearpoint** ★★★★★

When my husband was diagnosed with malignant pleural mesothelioma we got it touch with Leigh day and Claire Spearpoint was our legal advisor. Claire was kind and listened to our fears and worries and soon put us at ease. From our first meeting to the conclusion of settlement Claire was outstanding. We cannot thank Claire enough and would highly recommend Leigh day.

**Helen Ashton** ★★★★★

I cannot rate Helen Ashton highly enough who dealt with a very difficult claim, she, was kind, caring and so tenacious in fighting for me and my late husband. I felt I could not have been in better hands.

**Harminder Bains** ★★★★★

Harminder took on my Dad's case soon after he was diagnosed with Mesothelioma. Harminder's knowledge and professional attitude are excellent and her personal story made the process a lot easier for the whole family. She worked tirelessly to gather all the evidence and supporting statements to get the best compensation for my Dad. Even though my Dad sadly passed away before the end of the case, Harminder was excellent at chasing the relevant parties and making the process as painless as possible for us. The family were very happy with the compensation we received especially to care for my sick mother. My Dad thought very highly of Harminder and we would highly recommend her for anyone going through a similar ordeal Harminder is very passionate about the cause and this shines through. We cannot thank her enough.

**Louisa Saville** ★★★★★

Louisa Saville And team brilliant they recently helped us with an industrial illness claim that was started for my father before he died from the illness. Louisa was Brilliant so professional, but yet kind and sensitive to the fact that we were still grieving and everything was very raw. We cannot thank her enough for all that she did .

**Vijay Ganapathy** ★★★★★

I had an excellent experience with Vijay and his team. I was grieving and life was difficult. Vijay was professional yet compassionate. He was very knowledgeable and everything was always explained clearly and repeated if not fully understood. I was kept updated and was involved in the decision making throughout. The case was long but had a very successful outcome. I cannot recommend them highly enough.

**Patrick Walsh** ★★★★★

Leigh Day and in particular Patrick Walsh and the team he gathered around him were nothing short of amazing. So professional. efficient and personable. I was kept informed of the progress re my case at all stages throughout the process. Telephone conferences were conducted professionally and involved the relevant people/specialists and Council. I could not have expected more. I highly recommend Leigh Day to anyone thinking of using such a facility to assist with their individual claim.

**Steven Dickens** ★★★★★

Leigh Day dealt with a complicated claim for industrial injuries. I found them to be friendly, professional and always looked after my best interests. A special thank you to Steve Dickens who dealt with this case through to completion. I would have no hesitation in recommending them.

**Ewan Tant** ★★★★★

A big thank you to Ewan Tant of Leigh Day Solicitors for accepting my case and successfully winning damages for an industrial disease resulting from exposure to asbestos especially in my younger years while working for various companies. A truly friendly and professional company keeping me informed all the time on how my case was progressing from start to finish. Once again a big thank you to all at Leigh Day.

## Meet our Asbestos Disease Lawyers

For a free, no-obligation conversation about your situation, please contact:



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A close-up photograph of several lavender flower spikes in a field. The flowers are a vibrant purple color, and the background is a soft, warm orange and yellow, suggesting a sunset or sunrise. The lighting creates a gentle glow around the flowers, highlighting their texture and color.

**Contact us for a free, no-obligation  
and confidential discussion**

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**Bristol 0117 233 1094**

**Cardiff 02920 027711**

**Chesterfield 0124 638 6388**

**Hereford 01432 802191**

**Leeds 0113 340 6277**

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