



GUIDE TO MESOTHELIOMA COMPENSATION

Mesothelioma compensation claims

There is often an element of **uncertainty** for **victims of mesothelioma** about whether they can **claim compensation** or even what compensation actually is.

There are **2 routes** to obtaining compensation which you can follow **separately or together**, ie you can **claim both**:

- civil claim through courts
- claim for state benefits



The information that follows intends to provide **basic information** concerning the claims process in order that you can make an informed decision about how **best to proceed**.

What do I need to prove?

Importantly, a **sufferer** diagnosed with the disease or a **close relative** of a sufferer of **mesothelioma** and has subsequently passed away as a result of the disease in the past **3 years**, can bring a **claim** for compensation.

For a claim to succeed:

- try to determine the **identity** of the **company** or companies where **exposure to asbestos** took place
- if the employer/company **no longer exists** the **insurers** of the company at the time of the alleged exposure will need researching

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As part of our service, **we will** carry out the necessary **research** in order to trace the **relevant insurers** using our database of insurers and other resources available to us.

Upon identification of the relevant insurers of the company or companies where exposure to asbestos took place, **we** would then look to **establish** that the **employer failed** to ensure proper and adequate **protection** from **harmful exposure**. As a general rule, this is usually established if significant exposure took place on or after 1960.

Is there a time limit?

A general **3 year limitation period** applies to all victims of mesothelioma wishing to bring a claim for compensation, the 3 year **period runs** from the **date you first became aware** of suffering from the disease.



Alternatively, **close relatives** considering bringing a **claim** for compensation on behalf of a victim who has recently passed away as a result of mesothelioma, then a time **limit of 3 years** from the **date of death** applies.

How much compensation will I get?

The level of **compensation received** will vary depending upon your **individual circumstances**. However, as the claims process progresses, we can update you on the actual sum of money receivable.

Two main types of compensation or 'damages' receivable:

- **Special Damages** – claims for **loss of earnings** resulting from the development of mesothelioma, expenses incurred in travelling to hospital appointments, and prescription fees for medication
- **General Damages** – compensation for the **pain, suffering and loss of amenity** caused by the illness

In a **typical compensation claim**, victims of mesothelioma and their families will receive in **excess of £65,000** and sometimes very **much more**. In one instance we recovered compensation for a mesothelioma victim of over £750,000.

How much will it cost me?

Cases are normally run on a “**no win no fee**” basis.

This means that:

- we will **not charge** you for our legal costs for bringing the claim
- if the claim succeeds, you will receive **100% of the compensation** awarded, and we would seek to recover our legal costs from the other side, namely the insurers of the company who we brought court action against
- **discontinuance** or **loss** of your case means, you will **not receive** any **compensation** and we will **not charge** you a penny

Whatever the outcome of your case, we will not expect payment from you for our services.

This guide contains information on current legal issues applicable at the time of printing. Note there may have been changes subsequently which have not been incorporated in to the material. This guide is intended for information purposes only and its content should not be applied to any particular set of facts or relied upon without legal or other professional advice. For further information on how we can help you please contact:

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