



## GUIDE TO MESOTHELIOMA COMPENSATION BENEFITS

### Government proposals for improving state benefits

The Secretary of State for Work and Pensions, John Hutton, set out **proposals** on 13th March 2007 to provide **faster compensation** to all people diagnosed with Mesothelioma.

At present only people who contract the disease from exposure to asbestos at work can claim a lump sum from the State. The proposals will provide up-front financial support (within 6 weeks) to people who were previously not eligible, including those who were:

- exposed to asbestos from a relative (eg washing their overalls)
- exposed to asbestos environmentally (eg lived near a factory using asbestos)
- self-employed, and
- those who cannot trace their exposure to asbestos

Speaking at the Mesothelioma Summit in London, John Hutton said:

*“No amount of money will ever make up for the suffering and loss to individuals and families caused by mesothelioma. But no-one should have to worry that they or their family will have to wait years before they see a penny of compensation. Especially as in many of these cases, people do not have years to wait.*

*That’s why we’re committed to ensuring that everyone with mesothelioma can receive compensation, irrespective of their employment history. This legislation would mean that once diagnosed, every sufferer should receive a substantial payment within 6 weeks of making a claim.*

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*Currently, only people who receive Industrial Injuries Disablement Benefit are eligible for state compensation under the Pneumoconiosis Etc (Workers Compensation) Act 1979. The new proposals would break this occupational link and would mean that, as soon as legislation passes through Parliament, all those with mesothelioma would be eligible for payment, irrespective of their employment status and provided that they have not already received compensation through personal injury claims or against an employer. These payments could be as early as next year.*

*The cost of this proposed change would be met by compensation recovery. Currently, state payments are not recovered from civil compensation, so employers or insurers found liable often reduce and retain compensation by the amount already paid by the state to the individual.*

*A compensation recovery process will be introduced so that state payments are recovered if a civil compensation claim is subsequently successful. These funds will be used to make up-front payments to all new mesothelioma claimants. Payments will initially correspond to what can be afforded out of the projected compensation recovery amounts – but the payments will increase as funds allow.”*

The Summit, attended by stakeholders, is part of the consultation to find a long-term solution for compensation and will be used to develop the detail of the proposed legislation.

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