

Asbestos Related Disease

Workers Memorial Day 28
April 2011

Campaign Issue
Employers Liability Insurance

Asbestos Related Disease

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Key facts

The most recent available HSE figures show that, across the UK:

- 2249 people died from Mesothelioma in 2008 and thousands more from other occupational cancers and diseases
- 152 workers were killed at work, a rate of 0.5 fatalities per 100,000 workers

Key facts

By industry, fatalities in 2009/10 occurred in:

- Construction (42 fatalities)
- Agriculture (38)
- Utilities/mining (6)
- The service industry (41)
- Manufacturing (25)

Knowledge of the Dangers of Asbestos

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- In 1898 a link was made between asbestos exposure and damage to health
- Asbestos Regulations 1931
- In 1965 Newhouse and Thompson reported a clear association between asbestos exposure and mesothelioma
- 31st October 1965 an article in The Times recognised dangers of domestic exposure (i.e. washing overalls)
- Asbestos Regulations 1969

Wittenoon Gorge



Asbestos Related Disease



ASBESTOS BLUE

He was only a child when it begun and he played as children do
In his yard with his toy cars and tip trucks - His sand was asbestos blue...
Pictured. Brian 7 years old - Wittenoom Asbestos Town Western Australia

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Campaigning Issue

Many thousands of victims receive no compensation from the employer which caused the illness.

Why – because the Employer has gone bust and the Solicitor cannot trace the identity of an Insurer who could satisfy a judgment.

The Courts



Employers Liability Insurance Tracing

- The ABI operates a voluntary code of practice
- Success rate of traces is just over 40%
- Contrast with Motor Insurance Bureau –which pays in full for those killed or injured in road accidents

Solution

A Fund of Last Resort.



ABI

In response, ABI director general, Nick Starling, has stated that the Association is “opposed in principle to the proposed ELIB”.

According to Mr Starling: “It cannot be right that today’s law-abiding employers should have to pay for their potentially uninsured competitors or firms that now no longer exist, and who may not have had insurance.”

He believes such a fund could present a “serious moral hazard” by encouraging some employers to dispense with insurance or take health and safety issues less seriously, knowing that a fund of last resort would pay out.

The Government

Chris Grayling

We are in active discussions with all stakeholders on how this situation can be addressed and we will bring forward our proposals in due course

The Benefits

- No Cost to the Government
- Money saved on the pleural plaques claims can be set aside to pay for the fund
- EL Insurers can fulfil their long held wish to assist the victims of asbestos related diseases

Any Questions?