

# The Asbestos Victims Charter for Justice



Twenty years after asbestos was banned in the UK it remains the single biggest cause of work related deaths. The number of people affected is continuing to rise each year. We demand justice for victims and families affected through no fault of their own. This charter sets out affordable reforms to help achieve this aim.

## The right to decent medical treatment

- Access to treatment and care irrespective of where a patient lives
- All patients, including those with peritoneal mesothelioma, should be discussed at a mesothelioma Multi-Disciplinary Team meeting
- Access to clinical trials
- Mesothelioma patients to be seen by a Clinical Nurse Specialist with mesothelioma skills and knowledge

## Welfare Justice

- Industrial Injuries Disablement Benefit (IIDB) should be disregarded for the purposes of calculating a person's entitlement to means-tested benefits
- Posthumous payments made under the Pneumoconiosis, etc (Workers Compensation) Act 1979 and the 2008 Diffuse Mesothelioma Scheme should be made at the same rate as in-life payments.
- Constant Attendance Allowance should be automatically awarded at the intermediate rate where IIDB has been awarded for mesothelioma or lung cancer.

## Fair Compensation

- Payments from the Diffuse Mesothelioma Payment scheme should be 100% of average awards in all cases.
- A scheme, funded by the insurance industry, to compensate sufferers of all asbestos diseases
- People suffering from lung cancer, which has only developed because of exposure to asbestos, should be treated in the same way as mesothelioma sufferers when making a civil claim.

- Compensation claims which are settled when the victim is alive should be treated in the same way as those settled after death.
- All asbestos claims should be exempt from charges under the Legal Aid, Sentencing and Punishment of Offenders Act

## Military Veterans

- Payments from the MOD Diffuse Mesothelioma Lump Sum Scheme should be reviewed annually and increased at the same time and same rate as War Disablement Pensions.
- The MOD Diffuse Mesothelioma Lump Sum Scheme should allow posthumous claims from surviving spouses and dependant children.

## Preventing Future tragedies

- The Government should introduce a national public awareness campaign on the dangers of asbestos in the workplace, home and environment.
- There should be a compulsory national audit of all schools to identify and assess the condition of asbestos and develop a timetable for removal, as well as an audit of asbestos in NHS hospitals and an effective plan of managing and removing it.
- A Government programme and timetable to eradicate asbestos from all our workplaces, homes and public buildings
- A National register of sites containing asbestos and stronger safeguards for re-developing sites containing asbestos waste
- Effective controls and enforcement to prevent the import of asbestos-containing materials into the UK.