

Dianne Willmore dies the day after winning her asbestos appeal

PRESS RELEASE- 15 October 2009

It is with great sorrow that we tell you that Dianne Willmore died this morning. Yesterday the Court of Appeal upheld Liverpool High Court's verdict that she was negligently exposed to asbestos when she was a child at school in Knowsley. Dianne was only 49.



Dianne was exposed to asbestos fibres from the age of 11 at Bowring Comprehensive in Knowsley in the 1970's. The court acknowledged that the council and school authorities knew about the dangers of asbestos and should have taken measures to prevent damage to asbestos, contamination of the school and exposure of the occupants. The court heard of a number of occasions when the exposures happened: Asbestos insulation ceiling tiles had been taken down and stacked in a busy corridor whilst electricians worked on the cables in the ceiling void. Bullies took children's satchels and pencil boxes and hid them above the ceiling tiles. Vandalism had occurred in the girls toilets where asbestos ceiling tiles were stacked in the girls loos. The original case in July found Knowsley Council had a duty of care for the staff and children, and they failed in that duty. However Knowsley Council appealed against the ruling.

Their appeal was dismissed yesterday by the Appeal Court Judges who upheld the original ruling.

Dianne was diagnosed more than two years ago and because her condition was seriously deteriorating the court dealt with her case speedily. Yesterday Lord Justice Ward told the court that they would not delay their ruling because they were aware that Dianne had not long to live. The Court showed great compassion.

Yesterday Knowsley Metropolitan Borough Council's lawyers indicated that they wished to appeal to the House of Lords.

Immediately after the Judges' decision yesterday Dianne's solicitor Ruth Davies phoned to tell her the good news. She was so pleased that she knew that her beloved family would be looked after. Dianne died with that knowledge.

Dianne was awarded £240,000 in damages for her negligent exposure, but she wasn't able to spend it because in the event of the appeal being successful the money would have to be paid back.

Every year, there are more than 2000 cases of mesothelioma in the UK, the exposure in the UK being comparatively high because we imported so much brown asbestos. The vast majority of those mesotheliomas are caused by exposure to asbestos dust in the workplace. However there are increasing numbers of people like Dianne who develop mesothelioma from slight exposure. Her case succeeded because there was evidence of exposure.

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