

Pleural plaques judgement expected to be overturned in Scotland tomorrow

Tomorrow parliament is expected to pass the Damages (Asbestos-related Conditions) (Scotland) Bill. The new law would mean that pleural plaques would again be compensatable in Scotland. The bill has won cross-party support in Scotland.

In 2007 the House of Lords held that pleural plaques were not an actionable injury because they were not a disease and had no symptoms. SNP West of Scotland MSP said the decision by the House of Lords has caused “a great deal of anger and dismay in the west of Scotland communities where people have been affected by this condition for doing nothing more than earning an honest wage”.

Inevitably there is now pressure on the government to announce whether it intends to restore compensation for pleural plaques in England & Wales. MP Mick Clapham, leading the campaign said, “We are waiting for a speedy decision. We were told it would be shortly and I would expect it in the next couple of days”.

Pleural plaques are a permanent scarring of the outer lining of the lung. This scarring rarely causes symptoms however those diagnosed with pleural plaques can suffer serious anxiety. The pleural plaques indicate that a person has been exposed to asbestos. They worry about the increased risk that they may go on to develop a deadly asbestos related illness such as mesothelioma or lung cancer.

We will update the website as soon as there is further news.

About **John Pickering and Partners LLP**- Specialist industrial disease compensation solicitors.

John Pickering and Partners LLP is a niche legal practice that has represented Claimants in the leading asbestos "test cases" in the last ten years. The firm represented Sylvia Barker in *Barker v Corus (UK) Plc*, a case that highlighted the legal tactics of employers and insurers trying to cut back their compensation liabilities to mesothelioma sufferers, and which prompted the amendment of the Compensation Act 2006 to ensure full compensation for mesothelioma claims. The firm represented two of the three Claimants in the *Fairchild appeal*, in which the insurance industry tried unsuccessfully to block compensation altogether for mesothelioma sufferers unable to identify which of two or more sources of asbestos exposure had caused their illness.

The firm represented Alice Jefferson, a mesothelioma sufferer, whose illness and compensation claim against Cape Asbestos were featured in the important documentary "*Alice: A Fight For Life.*" Shown by Yorkshire Television in July 1982, the programme was an important catalyst for legal change and public awareness of the plight of the victims of asbestos.

If you need advice about an asbestos related illness, contact us now for information about making a claim for compensation

Ellen Butler – Trainee Solicitor
John Pickering and Partners LLP
20 Clare Road
HALIFAX, HX1 2HX

Tel : 01422 345535
Fax: 01422 438500
Email@ eb@johnpickering.co.uk