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SOLICITORS

Your Specialist Asbestos Disease Solicitors



Information Pack

Poole Alcock are a leading law firm whose dedicated asbestos related disease team has over 25 years experience in helping victims and their families both locally and throughout the UK.

Receiving a diagnosis of an asbestos related disease can be an extremely worrying time for you and your family. An asbestos condition can lie dormant for many years after inhalation of asbestos fibres therefore a diagnosis can come as a complete shock and leave you confused about your options.

At Poole Alcock, we have successfully helped people affected by asbestos, and their families, to obtain the compensation they are entitled to. Our team understands the devastating impact a diagnosis of asbestos disease can have, not only on you, but also your family, and we will do everything we can to make the claim process as simple and as possible.

We work closely with local charities which support victims of asbestos and will always keep your needs as priority.

We understand that you may not want to take an active role in pursuing your claim and therefore we will ask you first if you would prefer us to speak to a family member or close friend instead.

A solicitor specialising in asbestos claims will be happy to meet with you at our offices or in your own home to provide you with advice and answer any questions you may have.

We will explain, without unnecessary jargon, your options, our advice, timescales and what is likely to happen in your case.



What Asbestos related illnesses can I claim for?

If you have been diagnosed with an asbestos related disease your treating Physician will have explained your diagnosis to you and may also have explained that you are now eligible for making a civil claim for compensation.

You will be eligible to make a claim for compensation if you have been diagnosed with any of the following illnesses:-

- Diffuse Pleural Thickening
- Asbestosis
- Mesothelioma (Terminal cancer caused only by asbestos exposure)
- Asbestos related lung cancer (Adenocarcinoma)

“Thank you very much for your kind help. This reaches me at a most critical moment in my life.”
Mr A. London





A civil claim means making a claim through the Employer Liability Insurer for your previous employer who exposed you to asbestos.

Your exposure to asbestos is likely to have occurred many years ago and your previous employer may have ceased trading. This does not prevent claims from being made. As mentioned above, it is the Employer Liability insurer who will pay out compensation and we have many different research tools available to us that assist us in identifying the relevant insurer that provided cover during your employment. As long as we can identify the insurance company, we can make a claim.

If we cannot identify an insurer to claim against, there is a Fund of last Resort for Mesothelioma claims only which allows individuals to receive a fixed amount of compensation in situations where their civil claim cannot be progressed



‘Helpful, polite, always felt
Poole Alcock had my best
interests at heart’
Mr H. Nantwich

Can I claim for anything else?

After receiving a diagnosis of an asbestos related illness, you may be eligible for claiming benefits from DWP.

You may be able to receive a weekly Industrial Injuries Disablement Benefit and a lump sum benefit under the Pneumoconiosis Workers Compensation Act or Mesothelioma Scheme.

These benefits are completely separate to the civil claim explained above, however the benefits available are generally awarded much sooner than the outcome of your civil claim and as such it is always advisable to make a claim.



“You gave excellent advice and a very high level of keeping me informed throughout” Mrs T, Crewe

The Claims Process Explained

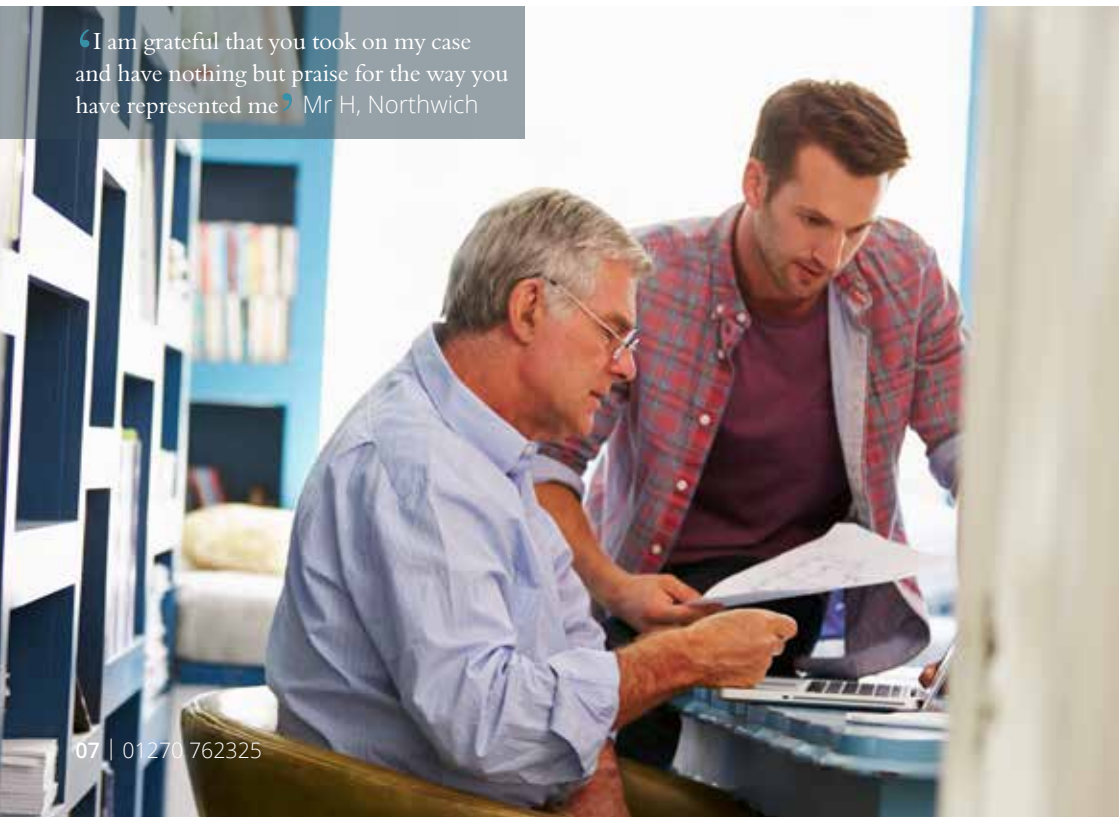
Once you have confirmed that you want us to act for you on a ‘no win no fee’ basis, we can start your claim. The claims process will usually be as follows:

- 1 We normally request a lot of information from various different organisations first, to collect all the evidence required. This can include:-
 - Medical records
 - HMRC employment schedule which lists all of your previous employers dating back to 1961, which means that you don't have to remember every single employment
 - DWP records e.g. State pension, Attendance Allowance, Industrial Injuries Disablement Benefit, PWCA lump sum benefit
 - Occupational Health and Personnel file from your employer (if available)
 - Records relating to your income/pension

2 At the same time, we will prepare a witness statement for you, detailing everything you can remember about your exposure to asbestos along with details about your symptoms and diagnosis. This statement will be your opportunity to evidence how you believe you were exposed to asbestos. At Poole Alcock, we understand that this can be quite a daunting task. We will therefore meet with you to help. In light of our experience with working on claims of this nature, our specialist Solicitors will be able to ask relevant questions to help jog your memory. You may not think that you can remember much, however we can often capture a lot of useful information once we get chatting.

3 We will research the potential Defendants and identify their Employer Liability Insurers. Even if the company has ceased trading, it isn't a problem. We have many different research tools available to us to locate historic company EL insurers.


“I am grateful that you took on my case and have nothing but praise for the way you have represented me” Mr H, Northwich



4 We will send out a Letter of Claim to the Defendant. This letter will launch the claim and prompt the Defendant to investigate whether they negligently exposed you to asbestos. Usually the Defendant has 21 days to acknowledge receipt of this letter. They will have 3 months from that date to provide their view on whether or not they believe they have acted negligently. With Mesothelioma claims, in light of the prognosis, we do not have to keep to these timescales.

5 We will also instruct an independent Consultant Chest Physician to prepare a medical report. The expert will review all of your records and confirm your diagnosis within the report. He or she will also deal with some very sensitive issues such as prognosis, life expectancy, treatment options and the risk of developing any other asbestos related condition.

6 Once we have medical evidence and an identified Defendant to claim against, if they have not admitted negligently exposing you to asbestos,



“Thank you and your associates for the hard work in reaching a settlement in the claim ... the final sum far exceeded what I imagined it would be”
Mrs R, Stoke on Trent

we can consider issuing your claim at Court to let a Judge decide. Before we do this, we normally obtain a Barrister's opinion on the merits of your claim. We will also ask the Barrister to prepare the formal documentation needed for issuing at Court.

7 With Mesothelioma claims, the fast track procedure mentioned above allows us to issue a claim at Court much sooner. We do not necessarily need to wait for the Defendant to provide us with their view on whether or not they have negligently exposed you to asbestos. As soon as we have your witness statement and medical evidence we can issue your claim at Court if appropriate. The Court will then set a 'Show Cause' Hearing where the Defendant is required to show with evidence that they are able to potentially defend the claim. If not, the Court will enter Judgment in your favour. This means that your claim will be successful subject to confirming with medical evidence that your diagnosis has been caused by the Defendant's exposure (if not already). The Court will Order

Friendly staff, very helpful, reassuring... (Poole Alcock) do a great job Mrs M. Middlewich



the Defendant to pay you £50,000.00 by way of interim payment. This will normally be within 14 days of the Show Cause Hearing. The Court will then set Directions for the remainder of the claim. These Directions are a timetable for certain administrative tasks to be completed by; so that the Court can assess the total value of your Claim at a final Hearing if needs be. Normally speaking, most cases settle before this final Hearing because the Parties can negotiate a final settlement outside of Court.

8 For any case other than Mesothelioma, once the claim is issued at Court, the Court will normally set the Directions (Timetable) to Trial in the same way. The only real difference is that there is no Show Cause Hearing.

In Summary

Whilst this gives you an overview of the average claim, some claims are more complex. Further evidence may be needed from Radiologists, Engineers, and Nurses to discuss care options and fibre count analysis amongst other things.

Equally however, some claims can be settled without the need for issuing Court proceedings.

In light of the complicated nature of this type of claim and the amount of evidence needed, most claims can take anywhere between 18 months – 2 years to settle. Some can even take 3 years before settlement is reached.

However it should be noted that most claims for asbestos related claims are high value. Typically they range anywhere from £15,000.00 to £250,000.00.

We are always happy to discuss your case either in person or over the telephone. Our expert asbestos claims solicitors are specialists in these type of claims. We will ensure that you get every penny of compensation that you deserve.

**Call us today on 01270 762325 to arrange a FREE initial consultation.
We will meet with you at home or a location of your choice.**

If you, a family member or friend have been affected by asbestos, please contact us for a FREE, no-obligation conversation about your options:-

 01270 762325

 PI@poolealcock.co.uk

 www.poolealcock.co.uk

We are happy to meet you at home or a location of your choice to make this process as convenient as possible for you.

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