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## **The Mesothelioma Bill – “A Curate’s Egg” – Goes to Commons**

**On Monday 2 December** the Mesothelioma Bill, which has completed its passage in the House of Lords, will be debated in the House of Commons for the first time.

The Mesothelioma Bill provides for a payment scheme, funded by a levy on active insurers, for mesothelioma sufferers who were negligently exposed to asbestos by an employer who is no longer trading and the employer’s liability insurer cannot be traced. The scheme is in response to the Labour Government consultation on accessing compensation for those who are unable to trace an insurer which closed in May 2010.

On behalf of the Forum which represents asbestos victims Tony Whitston, Forum Chair, says,

*“We welcome this Bill, but it comes at too great a cost to asbestos victims. Not only are 50% of asbestos victims excluded from the scheme, but those that are included, mesothelioma sufferers, are to be paid just 75% of average compensation and the commencement date for claims is 25 July 2012, two years after the consultation on untraced insurance closed.*

The Government is giving insurers £17 million to help them with initial payments and is lending insurers £30 million to ‘help’ with the backlog of cases from 2012.

After the first four years of the scheme, the Government is pledged to pay any amount that exceeds 3% of the total premiums for employers’ liability insurance which is the percentage above which the insurers say they will pass on to business.

*“Insurers have not only unilaterally negotiated a scheme which pares down eligible claimants and payments to the bare minimum by threatening legal action and burdening business with the scheme cost, they are also the recipients of Government largesse on an unprecedented scale,”* said Tony, and went on to say:

*“Mesothelioma sufferers and their families have contacted their MPs to ask that this Bill is improved. We believe that there is all party consensus to lift the payments, which are far too low. We are calling on MPs to treat those dying from mesothelioma fairly, and to claw back some of the excessive concessions to insurers who for decades wantonly destroyed insurance records saving themselves £1 billion in unpaid compensation as well as profiting from the insurance premiums they wrote. This Bill must be improved”*

**END**