

Thomson Snell & Passmore

Following your diagnosis of mesothelioma, this is a practical, supportive and clear guide on what to do next.

Supporting clients with mesothelioma for over twelve years, our Kent-based team has the knowledge and experience to understand and support you through the difficulties you are now facing.

How to receive the best care 1

A breakdown of what choices are available to you and how to get in touch with relevant services.

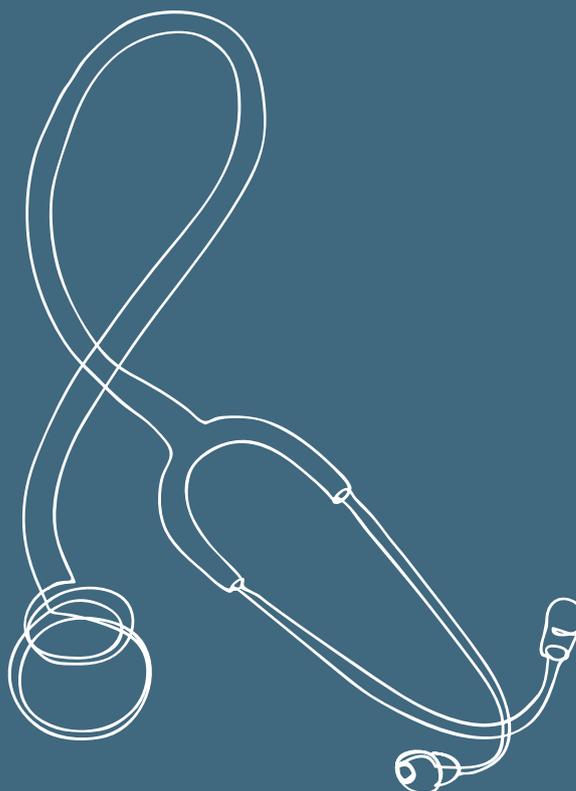
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Practical steps to think about, to protect you and your family during the complexities of your case.

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This straightforward questionnaire will help you prepare all you will need to discuss with us in order to bring a claim. Our experienced advisers are available to talk through your previous work and medical history.

T 01892 510000.



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How Thomson Snell & Passmore can help

Our APIL-accredited Industrial Disease team have a long history of success in compensation claims concerning mesothelioma, meaning we are likely to have recovered compensation in cases with similar circumstances to your own.

We take action quickly and pursue claims tenaciously. Many of our mesothelioma cases reach successful settlements within a few months.

We promise to provide you with clear, supportive and practical advice, including an offer to meet with you within the first 24 hours of your contact with us, at your home. We can provide advice on both your potential claim, and whether you are entitled to receive any state benefits to make things a easier at home. We will not charge you anything until you have received your compensation and will work on a “no win, no fee” basis.

“I feel that Thomson Snell & Passmore take time to understand me personally. I am not just a folder, I am a person.”

Client

Head Office

3 Lonsdale Gardens
Tunbridge Wells
Kent TN1 1NX
T 01892 510000
F 01892 549884

Thames Gateway

Corinthian House
Galleon Boulevard
Crossways Business Park
Dartford
Kent DA2 6QE
T 01322 623700
F 01322 623701

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Information

How to receive the best care

It is important to us that you receive the best care possible, to ensure both you and your family are well supported during this difficult time.

There are a number of organisations which we suggest you contact, if you have not already, who may be able to assist you or signpost you to the correct organisation for your needs.

Charities

McMillan Cancer Support – McMillan offer practical support for you at home, such as offering time off for a carer and lifts to hospital, as well as emotional support and financial advice.

Tel: 0800 808 00 00 (Monday-Friday 9am-8pm)
www.macmillan.org.uk

Mesothelioma UK – Mesothelioma UK are a national resource centre who can provide specialist information, support and improved care and treatment.

Tel: 0800 169 2409
www.mesothelioma.uk.com/information-and-support

Home situation

If you are looking to have more practical care and support at home we would suggest you contact your general practitioner who can arrange for you to have:

District nurses who can help with your nursing needs at home including giving you medications, bathing, changing dressings, etc. Specialist equipment can also be arranged through the district nurses to help you at home, including commodes and bed pans.

Marie Curie nurses give hands-on help at home for people in the end stages of life. They will stay overnight if needed to give relatives a break.

We suggest you also contact your local social services who can sometimes arrange for additional assistance including:

- Help with shopping or housework
- Respite care

- Meals on wheels
- Sitting-in schemes whilst your family has a break

Hospices

Hospices can provide vital palliative care in the final stages of life; but not only this, many hospices will also provide respite care to enable family members to have a break. We have provided a list of local hospices in Kent and East Sussex but you may need to ask your general practitioner for details of your local hospices if you live outside of these areas.

- Pilgrims Hospices (Canterbury & Margate) 01227 459700
- The Heart of Kent Hospice (Aylesford) 01622 792200
- Hospice in the Weald (Tunbridge Wells) 01892 820500
- The Wisdom Hospice (Rochester) 01634 830456
- Ellenor Lions Hospice (Dartford and Northfleet) 01474 320007 or 01322 221315
- St Christopher's Hospice (Orpington) 020 8768 4500
- St Peter & St James Hospice (Lewes) 01444 471598
- St Wilifrid's Hospice (Eastbourne) 01323 434200
- Friends of Sussex Hospices (Uckfield) 01825 890494
- St Michael's Hospice (St Leonards-on-Sea) 01424 445177
- Marlets Hospice (Hove) 01273 273400

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How to provide for you & your family

We understand that this is a very difficult time for you and your family. We have put together the following information to help ensure your family are provided for, to enable you to concentrate on the more important things like your care and spending precious time with your loved ones.

Home

If you are living alone and are concerned to ensure you remain provided for at home, and that your bills and other financial needs are catered for, you may wish to consider giving a power of attorney to a close family member or friend. This is a formal document in which you can appoint a person to make decisions on your behalf. This can be for property and financial affairs as we have suggested, but you can also enable them to make decisions regarding your health and welfare, if you should so wish.

If you would like to discuss powers of attorney in more detail please contact Una Angus on **01892 701299**, or mention this when discussing your mesothelioma case with our Industrial Disease advisers.

Finance

How to register for benefits:

There are three main types of benefits which you may be entitled to which can also come with additional benefits:

- 1 Industrial Illness Disability Benefit (IIDB) – This is a weekly allowance paid by the Department of Work and Pensions (DWP) even if you are retired and over the age of 65. There are six criteria which you must satisfy to obtain this benefit:
 - (a) the asbestos-related illness has been caused by your current job or any previous job;
 - (b) the asbestos exposure was on or after 5 July 1948;

- (c) the illness you suffer from is one of the eligible diseases, including:
 - i. Diffuse pleural thickening
 - ii. Asbestosis
 - iii. Lung cancer with asbestosis
 - iv. Lung cancer in the absence of asbestosis
 - v. Mesothelioma
- (d) the disease has made you disabled (a minimum level of disability may apply);
- (e) the asbestos exposure may need to be as a result of a particular type of job (this depends on the disease suffered and usually only applies to iv. above);
- (f) the asbestos exposure you experienced at work needs to be relatively substantial (unless you are suffering from mesothelioma).

Other benefits which you may be entitled to if you are entitled to IIDB include:

- (a) Constant Attendance Allowance
- (a) Exceptionally Severe Disablement Allowance
- (a) Reduced Earnings Allowance.

We would suggest you contact the **Department of Work and Pensions – Benefit Enquiry Line** to discuss whether or not your circumstances entitle you to this benefit, as soon as possible.
0800 882200

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2. The Pneumoconiosis etc. (Workers' Compensation) Act 1979 – This provides for a scheme enabling asbestos victims and their widows who cannot make a civil claim for compensation (because a previous employer or their insurance company cannot be found) to claim a further state benefit.

Our advice is to put in a claim as soon as possible, by calling

0800 2792322

3. The Mesothelioma Lump Sum Payments (Conditions and Amounts) Regulations 2008 – These Regulations provide for a further award if the applicant has a diagnosis of mesothelioma with exposure to asbestos in the UK. Application is by way of a combined application form to the Department of Work and Pensions. You can contact the Freephone Helpline telephone number for advice. The amount of the award varies and is set out in a separate schedule attached to the Regulations and is dependent upon age at time of diagnosis. Higher awards will be made to younger living claimants.

0800 2792322

Wills

We know that many clients with mesothelioma diagnoses will wish to ensure that their Wills are in order, so that their family and friends are appropriately provided for.

It is very important that you have a valid Will in place. If you do not, the rules of intestacy will apply and your estate could pass to people whom you do not wish to benefit. Making a Will can provide peace of mind for you and avoid problems for your loved ones.

Our Wills, Trusts and Tax Planning team understand that this is a very difficult time. They will take the time to ensure that your wishes are reflected in your Will. They will be able to give clear advice on your Will, Inheritance Tax, Capital Gains Tax and any other related issues.

If you would like to discuss your Will in more detail, please contact Una Angus on **01892 701299**, or mention this when discussing your mesothelioma case with our Industrial Disease advisers.

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How to prepare for your claim

The form below aims to reduce the complexities of your claim by helping you to prepare the key information needed to help us bring a claim on your behalf. Please do not worry if you are unable to complete all of the sections as this is merely a guide for our advisers to take you through.

Once you have completed this questionnaire please call our Industrial Diseases legal adviser to discuss this in more detail.

01892 510000.

Please complete the table below to summarise your work life history

Complete

Job title	Employer	Years in service	Explanation: What did you do in this role?

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Do you have any work-related documents?

Complete

For example, it would be helpful to us if you could provide any previous:

- Employment contracts
- Pay slips
- P60's

When our advisers speak with you they will also take details of any asbestos you knowingly worked with, whether the employers provided staff with any protective equipment, whether there was asbestos dust on the floors and in the air which was not cleaned away and was breathed in by staff, etc.

Are you in contact with any previous work colleagues from when you worked with asbestos?

Yes No

It is useful to us if you are able to provide details of anyone you used to work with and who would be able to corroborate your version of events.

Name:

Address:

Contact details:

Medical information

What were your first symptoms and when did they first start?

Complete

.....
.....

When did you first go to your GP about your symptoms?

Complete

.....
.....

Which hospital were you referred to and when were you first diagnosed by the consultant with mesothelioma?

Complete

.....
.....

Have you had any treatment for your mesothelioma? Please give details and dates.

Complete

.....
.....

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How working with Thomson Snell & Passmore can help

Funding your claim

We work on a conditional fee agreement i.e. 'no win, no fee' basis. If we do not recover damages then we do not get paid. We will only take on your case if we believe it has a good chance of success and will give you an honest assessment.

At the initial interview all funding options will be fully explored and explained in more detail and we will provide our advice as to the best funding options for the case.

How long will the claim take?

For a mesothelioma client we can issue Court proceedings very quickly but circumstances may differ from case to case.

First we must find a defendant employer with the ability to pay the claim and/or who has insurance. Asbestos disease claims are often resolved quickly without having to go to Court. We have recently taken two claims to an expedited trial – i.e. within three months of first being instructed. On average 9-12 months is not unusual and rarely some cases may take longer. However, only about 2% of asbestos claims end up in a Court trial. One recent claim was settled in 27 working days but this was exceptional.

How much is the claim likely to be worth?

The court has a general guidance as to how much should be given to claimants as damages for these types of claims, which are based on previous cases which are already settled.

For a death caused by asbestos you will be able to claim the following damages, but you should note that the figures given are for general guidance and will vary from case to case:

- general damages for pain, suffering and loss of comfort, convenience or enjoyment of life, are between £52,500 and £81,500 (depending on age at date of death);
- cost of care – often by a relative, in the region of £12,500;

- funeral costs and memorial;
- probate costs limited to obtaining Grant of Probate;
- inquest representation costs;
- bereavement award of £11,800 subject to statutory entitlement where the victim died on or after 1 January 2008 (£10,000 if the death was before then);
- loss of present and future income. This can be a substantial sum;
- travel and 'out of pocket' expenses;
- loss of services, for example labour costs for gardening, DIY etc;
- interest.

Progress of your case

Thomson Snell & Passmore will ensure that you are kept updated on the progress of your case as it moves forwards.

We aim to provide peace of mind and we will do our utmost to ensure you receive your compensation whilst you are still able to use the money for your benefit. Sadly in some cases our clients pass away during the process of their claim. In those circumstances we are usually able to continue the claim on behalf of the family.

“Thank you so much for the huge amount of effort and work put in by all concerned with this case... It was pleasing for me personally that they admitted liability – the compensation is fair. Alan was a very kind man and handled the case sympathetically and with integrity – I couldn't have wished for a nicer person. What more can I say other than a BIG thank you.”

Client

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What we promise

When working with you we will:

- Offer to meet all our new clients within 24 hours at their home.
- Advise you at the first meeting if your claim has good prospects of success or not.
- Work on a “no win no fee” basis (a Conditional Fee Agreement).
- Not charge you anything if you do not receive any compensation.
- Ensure your claim will be risk-free financially – we will organise insurance to protect you from the risk of losing your claim.
- Advise on your entitlement to state benefits. For every living mesothelioma claimant, widow and/or dependant a minimum of £12,945 lump sum is available from the government.
- Work in a practical, supportive and clear way, dedicated to gaining the best possible outcome for each of our clients.



Alan Care

Senior Litigation Executive

T 01892 701219

alan.care@ts-p.co.uk



Jonathan Herbert

Legal Executive Associate

T 01892 701226

jonathan.herbert@ts-p.co.uk



Oliver Chapman

Associate

T 01892 701234

oliver.chapman@ts-p.co.uk

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