

# **DERBYSHIRE ASBESTOS SUPPORT TEAM (DAST)**



DAST, 34 Glumangate, Chesterfield, S40 1TX.

Telephone 01246 380415

Edited by Joanne Gordon October/November 2015

## **DAST Half-day Conference Friday 20<sup>th</sup> November 2015**

**11am – 1.00pm at the Spot, Wilmot Street, Derby, DE1 2JW.** Speakers will include Campaigner, Jason Addy, (back by popular demand), Keith Muncey, NASUWT regarding Asbestos in Schools and representatives from DAST giving an update on our work. The Conference will be followed at 1.00pm with a Hot Buffet Lunch.

The conference provides us with an opportunity to introduce you to our new projects. Our new Bereavement Support Worker, Jo Reeve, will be there to meet everyone and talk about the Lottery funded project. Meanwhile, Sarah will be launching a Craftivism project. Craftivism is the use of crafts and art to share a message about an important issue. Sarah enjoys spending her spare time creating things with a needle and thread and intends to begin a patchwork of asbestos messages and memories. We will be selling hexagon shaped pieces of fabric, which people can decorate themselves and return to us to be added into the patchwork. Alternatively, for a slightly larger donation, Sarah will sew on a Reflection Rose and a set of initials of someone whom you would like to be remembered. The patchwork will grow over time as more people add messages or remember a loved one - and we can display it at all of our events. If sewing is something that you enjoy and you would like to volunteer to help on the project, please

drop Sarah a line on [sarah.dast@hotmail.co.uk](mailto:sarah.dast@hotmail.co.uk)

At the conference there will also be a cheque presentation from Nottingham City Homes. We were delighted to be chosen as Nottingham City Homes Charity of the Year and they have been fantastic organising Band Nights, Breakfast Clubs, Bike Rides, Golf Days and an Abseil to raise funds for DAST. Everyone is welcome to the meeting.

## **Coffee Morning**

In September we held our first Coffee Morning in Chesterfield, at the Hollingwood Hub, situated at the side of the canal. It was well attended and everyone appreciated the opportunity to come along and chat to each other as well as receive information and advice from Helena Stanley, Mesothelioma UK/Macmillan Lung Cancer Nurse Specialist. Helena is also the Lead Nurse for Peritoneal Mesothelioma.

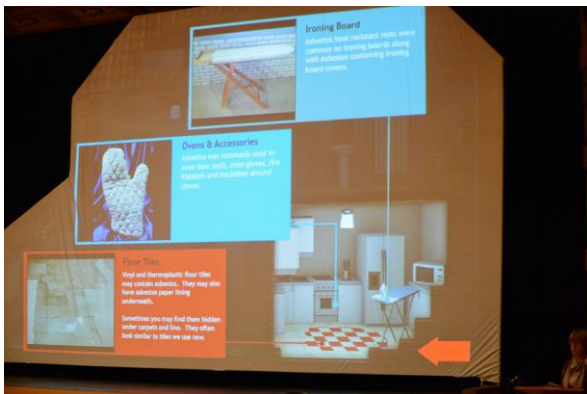
Thank you for coming along and I hope you found it helpful. If you would like a Coffee Morning or Afternoon Tea in your area, please let us know on [mail@asbestosupport.co.uk](mailto:mail@asbestosupport.co.uk) or by ringing 01246 380415.



William at the Canal at the Coffee Morning

## Voluntary Sector Awards

We are proud to announce that our House Awareness Project has been shortlisted for the most Innovative Project at the Voluntary Sector Awards here in Chesterfield. This is the Volunteers Centre's (Chesterfield and North Derbyshire) equivalent of the Oscars and a way of highlighting the good work undertaken by the voluntary sector. Fingers crossed we will win!



Jemma, one of our volunteers, taking part in our first Walk a Mile, pictured in a grey jumper at the front (top left) has also been shortlisted for the Young Volunteer Award.

## Fundraising News

### Walking Wonders!

Thank you to everyone who took part in this year's Walk a Mile for Mesothelioma event. We had a good turnout on our walk at the Forest Recreation Ground in Nottingham and the weather stayed fine for us. Four other walks were organised by supporters elsewhere in the country - thank you to Yvonne Burton, Annette Reeves, Murray Sillett and Linda Redman. Our target – to raise over £3,000 – has been exceeded and donations are still coming in. This was the second time around for what we hope will become an established

annual event in the DAST calendar, and if it keeps on growing at the same rate we will be very happy indeed!



### The Sky's the Limit for Fundraiser Joanne!

Joanne Goodliffe bravely did a sponsored skydive in May in memory of her uncle, Nick Barratt. Nick suffered from Mesothelioma, so she wanted to help the organisations that supported him through his illness, which were DAST and Northampton General Hospital. Joanne raised over

£1200, which we are sharing equally with the hospital. Thank you Joanne! Here she is in the photograph below, presenting the cheque to our own Joanne at the office.



### Manchester 10K Looms Again!

Yes it's that time of year when we need to book places on the Manchester 10K, which takes place in May. Would you or a friend or relative like to take part in 2016? Joanne Gordon runs each year and she says:

*"It's a great day out along with thousands of runners raising money for charities with live music and bands around the course and cheers and support from the crowds. Please join us."*

*Photo of Manchester 10K*



We will meet the cost of the place on the 10K, and we will send you a Sponsor Pack including a DAST T-shirt. All we ask is that you make your own way to and from Manchester and raise at least £100 in sponsorship.

### Schools Project Donations

Thanks to funding from Unite the Union (East Midlands) we can now go ahead with our new project which aims to draw attention to the problem of asbestos in schools. We have also received donations from UCATT and ATL unions. In November, we will be launching a Crowd funding campaign in order to increase the amount of resources that we can purchase for school staff. Keep watching our Facebook and Twitter pages for more information.

### William Bear

The William Bear badges are now on sale, priced £1 plus 50p towards postage. William Bear Christmas cards are in process and we hope to make these available for the beginning of November. Contact DAST 01246 380415 for details.

### DAST Communication

Don't forget that we now have a monthly email update. To join the mailing list please contact [sarah.dast@hotmail.co.uk](mailto:sarah.dast@hotmail.co.uk)

#### Please donate to DAST

- Save us your used ink cartridges, stamps and mobile phones
- Buy one of our "Reflection" roses for a Christmas present.



<http://www.worldofroses.com/>

Bare root roses now available

- To make a regular monthly donation, ask us for a standing order leaflet or download a form from our website

[www.asbestosupport.co.uk](http://www.asbestosupport.co.uk)

## **Legal update by Neil Baines, Thompsons Solicitors**

### **Increase in payments from the Diffuse Mesothelioma Payment Scheme**

On 10<sup>th</sup> February 2015 the Government announced that compensation payments under the Diffuse Mesothelioma Payment Scheme, which had previously been set at 80% of average civil damages, were being increased to 100% resulting in an average £21,000.00 uplift.

The scheme, which came into effect on 21<sup>st</sup> January 2014, is designed to provide payments to sufferers of mesothelioma and their dependants who cannot access compensation elsewhere because the employer who negligently exposed the worker to asbestos no longer exists and the employers' insurers cannot be traced.

Unfortunately the eligibility criteria remains unchanged. Only mesothelioma victims who were negligently exposed to asbestos as employees are entitled to claim. This leaves thousands who have other forms of asbestos related disease and people who were exposed to asbestos from their partner's contaminated work clothes with no redress when they cannot trace the former employers or their insurers.

The first year's figures up to 5<sup>th</sup> April 2015 show that some 408 applications have been received, 255 of which have been successful, 92 were unsuccessful and there were some 51 results pending. There were some 37 requests for reviews of the decision and only 12 of those resulted in different outcomes. As of 5<sup>th</sup> April 2015 only 3 appeals have been heard

at the first level at Tribunal and in all cases the Administrators decision has been upheld. Early figures also indicate that those applicants who are represented by solicitors have a higher rate of success with their applications.

### **Lung Cancer Test Case**

On the 11<sup>th</sup> December 2014 the High Court handed down its judgment in Heneghan v Manchester Dry Docks & others, an asbestos induced lung cancer test case.

The central issue was whether damages awarded for asbestos related lung cancer were divisible (i.e. whether each tortfeasor is only liable to pay damages for the proportion of the risk of contracting lung cancer they have created) or was each Defendant responsible in full for the damages (as in mesothelioma cases).

The late Mr Heneghan had been exposed to asbestos dust with 10 known employers, 6 of whom had been traced. The 6 traced defendants were responsible for 35.2% of Mr Heneghan's total lifetime dose of asbestos.

Unfortunately Mr Justice Jay found that "apportionment is the appropriate outcome in the present case ..." and as such the Claimant only recovered 35.2% of the agreed damages.

An appeal is being pursued. Many observers are of the view that whatever happens in the Court of Appeal this case may end up in the Supreme Court.