



Health & Safety

MATTERS

Health & Safety Information for GMB Safety Reps

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PLEURAL PLAQUES – Where are we now?

Introduction

GMB helped organise a third lobby (in two years) of the Houses of Parliament on 28th October to highlight yet again the plight of current, and future, sufferers from Pleural Plaques. This follows a decision from the House of Lords in October 2007 to stop the payment of compensation from employer's insurance companies. Previous lobbies had help convince the government to undertake a consultation on the matter, though this closed over a year ago! Since then repeated promises from Ministers and the Prime Minister of a decision *soon* have resulted in nothing as yet.

What exactly are Pleural Plaques again?

Pleural Plaques are pathological changes in the membrane which surrounds the lung, with the laying down of fibrous scar tissue caused by the inhalation of asbestos fibres. However, pleural plaques are not detected by x-ray or CT scan. The plaques may well show no symptoms, though when they do, they cause pain, discomfort and breathlessness.

Are there increased risks of developing more serious asbestos related diseases?

Sufferers of pleural plaques are at risk of developing-

- Diffuse pleural thickening , causing breathlessness
- Asbestosis of the lungs, causing breathlessness
- Lung cancer, which is often fatal
- Mesothelioma, which is usually fatal within a year of diagnosis

What are the chances of developing any of these other diseases?

The Insurance industry claim that there is a less than 1% chance of developing mesothelioma, but then they also claim that sufferers get anxious about pleural plaques due to campaigns run by the trade unions! A GMB branch in East London, the Heat & Frost branch, which is made up mostly of Thermal Lagers, have documented a rate of development of mesothelioma in pleural plaques sufferers of greater than 30%. An eminent consultant physician, Dr R M Rudd, says that those with heavy previous exposure to asbestos have a risk of developing mesothelioma of 10% - equivalent to more than 1000 times the possibility for a member of the general population.

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So why is the Insurance Industry against compensation for pleural plaques?

A flippant answer, with a serious side might be – because they will save £1.4 billion in payouts. Unfortunately under current law, they rightly claim that any anxiety or stress from getting pleural plaques is not eligible for compensation. However an argument put forward by many, including Dr Rudd, is that pleural plaques is a physical scarring internally and that anyone suffering a similar injury to the outside of the body would be able to claim compensation. In addition, and perhaps more importantly, pleural plaques is evidence of **negligent behaviour by employers** who have needlessly allowed their workforce to be exposed to a known carcinogen, namely asbestos fibres.

What are the government likely to do?

Obviously it is difficult to predict. Normally they respond to official consultation documents in less than a year and usually considerably sooner. Many feel that the argument for the restoration of compensation has been won and that some government departments are against payment due to the financial cost, to their departments, alone. The two main departments are the Ministry of Defence (MoD) and the Department of Business, Innovation and Skills (BIS), which are most likely to have potential claims against them. Any decision will be taken by the Justice Ministry, possibly on the say so of the Prime Minister's office. There is a meeting planned for a delegation of MPs, who have been very supportive of the campaign, to meet with Jack Straw and Gordon Brown, on 25th November. Perhaps there will be some news after that.

Conclusion

GMB has a long history of campaigning on asbestos related issues and we intend to keep the pressure on the government until justice for pleural plaques sufferers has been achieved. To us the position is very clear – there has been negligence by employers in allowing exposure to the deadly asbestos, there has been a sharp increase in mental stress for those diagnosed with pleural plaques, particularly where they have seen friends, family and workmates go on to develop mesothelioma, and there have been permanent changes to the lungs within the body.

Legally and morally the position, as we see it is clear. There must be a restoration in compensation payments for pleural plaques.

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