

Asbestos – the deadly fibre

*the dangers, your health
& legal compensation*

Important:

This brochure contains an
Asbestos Employment
Record. Please fill in and
fax to us.

RYAN
CARLISLE
THOMAS

LAWYERS

Clients, not cases.

Asbestos is a time bomb.

It can take 10, 20, 30 even 40 years for the deadly symptoms to appear.

Early symptoms such as shortness of breath can develop into more serious problems like tumours, but again only after many years have passed.

Because employers, manufacturers and governments ignored the health hazards of asbestos for so many years, people who could have been saved from asbestos are now sufferers.

If you are one of these people, you may be entitled to substantial financial compensation from those who ignored the warnings.

If you have any asbestos-related symptoms, it is critical you keep a record of your illnesses, of your employment history, and of any workmates that can be contacted should you go to court.

This brochure may assist you in understanding the illnesses that asbestos can cause and your entitlement to compensation.

Read this brochure carefully then fill in the Asbestos Employment Record and return it to us. We're happy to answer your questions personally anytime.

• How dangerous is asbestos?

Very. Although the dangers of asbestos are only now becoming truly apparent.

Experts predict that the number of people suffering from illness related to asbestos will not peak until 2020.

Asbestos is a substance that was most commonly used for fire-proofing and for insulation. While it is now largely banned as a building material, asbestos remains in our everyday lives. Asbestos cement sheeting was a common building material, sometimes called "AC sheeting" or "fibro", and was used for roofing, in pipes, as insulation, and in car parts.

Asbestos is most dangerous when disturbed. Fibres can easily be inhaled, leading to a range of deadly diseases.

WARNING:

You should never cut asbestos cement sheets or handle asbestos. Leave any repair work to professional tradesmen or asbestos removalists.

• Have you been exposed?

Most people suffering from asbestos-related diseases were exposed at their workplace either through directly handling asbestos products or working in the vicinity of other people using asbestos products.

The deadly occupations are:

- mining or milling asbestos
- manufacturing raw asbestos
- using asbestos products in building and lagging work.

However, you may also have been affected if you lived with someone who worked in an asbestos industry and came into contact with the clothing worn during the handling of such material.

We have also acted for clients who have developed asbestos-related illnesses by living in areas where asbestos plants and mills operated.

• What are the diseases?

When inhaled, asbestos can cause any or all of the following diseases.

Pleural Plaques - These patches of thickening may appear on the lining of the chest wall and over the diaphragm in the pleural membrane that lines the chest. These patches typically don't affect breathing. They are neither a cancer nor become malignant. They can take at least 7 years to develop.

Asbestosis - This is a form of fibrosis or scar tissue in the lungs, which restricts breathing, and therefore the amount of oxygen your body can absorb. It can take 10 years to develop, and while it's not a cancer it may cause death.

Lung Cancer - Asbestos workers who smoke are particularly prone to lung cancer. Tests have shown that smokers who have worked with asbestos workers have an 8 times greater risk of lung cancer than smokers who have not been exposed. It's a disease that may take decades to appear.

Mesothelioma - This is a terminal cancer that may take up to 30 to 40 years to develop. It affects a different part of the body, the "pleura" or the lining of the chest cavity that covers the lungs. Smoking does not cause mesothelioma.

• Can they be treated?

Treatment is more successful if the problem is found early. If you suffer from chest pain, shortness of breath, a persistent cough or weight loss it is important you inform your doctor of your exposure to asbestos, even if the exposure was only light or for a limited period. This will allow a proper diagnosis to be made.

When visiting a doctor it is vital that you give a detailed account of the ways in which you may have been exposed to asbestos products. This will help to quickly diagnose your condition and assist in any legal compensation you may be entitled to.

Initial x-ray and CT scans will help determine the extent of your condition. A biopsy and sputum cytology test will determine whether your tumor is malignant or benign.

Some asbestos-related illnesses can be treated, particularly if they are found early. Others can't, but treatment can improve the quality of life for sufferers.

While surgery, chemotherapy and radiation therapy may help, unfortunately there is no cure for mesothelioma. Treatment is designed to improve the quality of life of the sufferer.

• How do I care for myself?

People suffering from cancer still can enjoy a reasonable quality of life with care from others and a careful and informed approach to their illness.

It is important to seek appropriate medical advice on diet and exercise, and to have your condition regularly reviewed by your doctor.

You can otherwise seek help with medical investigation and treatment from the:

*Workers Occupational Health Centre,
Trades Hall
54 Victoria Street
Carlton South 3053
Tel: 9662 4820.*

• What are my legal rights to compensation?

Once you become aware of your condition it is important to seek immediate legal advice.

Scientific evidence of the health dangers of asbestos has been available since the 1930s.

Employers, manufacturers and governments mostly ignored it. They put profit and convenience ahead of health and safety. Those responsible are negligent. Taking them to court can not only lead to substantial financial compensation; it also sends a clear message to employers, manufacturers and governments to take seriously their responsibilities to workers.

Legal action can be brought for negligence against:

- manufacturers of asbestos products
- employers, and
- occupiers of premises that have allowed asbestos products to be used.

Damages can be claimed for:

- past and future medical expenses
- loss of income and income earning capacity, and
- pain and suffering.

The Courts can process claims very quickly in cases where people are ill or only have a limited life expectancy.

• Do recent WorkCover changes affect my case?

Generally not because the WorkCover scheme has no effect on people injured prior to November 1997. As it's likely you have been exposed to asbestos before then, you are entitled to sue at Common Law for damages.

• What if I smoke?

You are still entitled to compensation. Smoking neither causes nor exacerbates some asbestos-related diseases, while with others it is a contributing cause only.

• What if I was born or exposed in the United Kingdom?

Ryan Carlisle Thomas has been involved in a large number of cases where compensation has been obtained in the UK for Australian residents exposed to asbestos while working or living in the UK.

Compensation is available on a "provisional basis" to people who have pleural plaques or other minor diseases. This allows the claim to be resolved while still permitting further action to be taken should the person develop another type of asbestos related illness.

There is also a statutory bereavement sum available of £7,500 if a husband or wife dies due to an asbestos related illness.

• Can I claim if I am a dependent of a person who died from an asbestos-related condition?

Yes. The spouses and dependent children on someone who has died from an asbestos illness are entitled to compensation for the amount of earnings lost as a result of the illness.

In Australia this is commonly calculated by considering the average age of retirement to be 65 years.

If the deceased provided services of a domestic nature for which you now pay, you may be entitled to bring a claim for "loss of services".

Can I claim if my employer has gone out of business?

Yes. While many companies that employed people and allowed them to be exposed to asbestos are no longer operating, claims can still be brought against that company's Workers' Compensation insurer.

Getting a good lawyer

Getting the right legal advice from a firm experienced in asbestos law is critical to your chances of success.

Ryan Carlisle Thomas is one of Australia's best. We've won payouts for hundreds of clients throughout Australia who have been exposed to asbestos.

We also have an expanding practice in the UK, representing many clients who were exposed to asbestos in England, Ireland, Wales and Scotland who have since moved to Australia.

What will it cost me?

Ryan Carlisle Thomas does not charge up-front legal fees.

Your first consultation is free. And we have a NO FEES 'TIL YOU WIN policy that means you won't be charged any fees at all should you not receive compensation.

Ryan Carlisle Thomas Client AdviceLine. Free, confidential advice on all injury and sickness matters.

1300 361 444

Our network of offices

Melbourne
30th Floor,
80 Collins Street
Tel: 9240 1414
Fax: 9240 1444

Melbourne
540 Elizabeth Street
Tel: 9349 4822
Fax: 9349 4383

Dandenong
41 Robinson Street
Tel: 9238 7878
Fax: 9238 7888

Geelong
127 Myers Street
Tel: 0352 216 266
Fax: 0352 231 905

Ballarat
29 Lydiard St South
Tel: 0353 317 898
Fax: 0353 333 943

Cranbourne
98A High Street
Tel: 0359 968 788
Fax: 0359 968 811

Frankston
37 Playne Street
Tel: 9770 0544
Fax: 9770 0566

Bayswater
Unit 11
653 Mountain Highway
Tel: 9720 9311
Fax: 9720 9225

Bacchus Marsh
7A Grant Street
Tel: 0353 677 441
Fax: 0353 677 443

Melton
110 McKenzie Street
Tel: 9747 6822
Fax: 9747 6024

Sydney
1st Floor, 361 Kent Street
Tel: 02 9290 1911
Fax: 02 9290 3763

Fax us this sheet on 9240 1444

Please complete and sign this form. Keep this copy for yourself in a safe place.

If you've been exposed to asbestos you should record the details of your work history – even if you don't have any immediate symptoms. If you or one of your family members does become sick, these details will be important both for future medical diagnosis and to help prosecute your legal case. If you require more space, please write on an additional sheet.

Full name: _____ Date of Birth: _____
Address: _____
Phone (h): _____ (w): _____

Names and addresses of employers:

Name and address of employer	Period employed	Type of exposure (eg. lagging, spraying, cutting sheets, bystander etc)
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Details of any workmates (to verify your claim):

Name	Address	Phone	Employer
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____

Type of asbestos products you were exposed to: (eg. AC sheet, lagging)

1. _____
2. _____
3. _____

Do you have any symptoms related to your exposure to asbestos? If yes, provide details

Signature: _____ Date: _____

ASBESTOS TASKFORCE

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