

WRITTEN MINISTERIAL STATEMENT

Tuesday 18 December 2012

MINISTRY OF JUSTICE

Reforms for Mesothelioma Claims

The Parliamentary Under-Secretary of State for Justice (Mrs Helen Grant):

Today I am announcing the Government's intention to consult publicly on proposals to reform the way that mesothelioma cases are dealt with, including; introducing fixed legal fees for mesothelioma claims; a dedicated pre-action protocol for those claims and an electronic portal on which the claims will be registered. The consultation will be issued in spring 2013. The aim is to ensure that these claims are processed and settled as quickly as possible given the nature of this disease.

As part of that consultation, we will carry out the review required under section 48 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 on the effect of the changes to the recoverability of conditional fee agreement success fees and after the event insurance premiums. We intend to publish the outcome of that review next autumn.

Mesothelioma is an aggressive and terminal occupational disease with an average life expectancy of less than two years from diagnosis. A claim for compensation can take up to two years to settle which means that sufferers often die before their claims are paid out.

The Government considers that it is imperative that these claims are settled quickly and that early payment of compensation is made so as to ease the sufferings of victims of this dreadful disease and give some assurance that their dependants will be financially secure when they are no longer around. However this cannot be achieved without a speedy pre-litigation process which is why the Government has decided to consult on how best to reduce delays in these cases.

WRITTEN MINISTERIAL STATEMENT

Tuesday 18 December 2012

MINISTRY OF JUSTICE

Reforms for Mesothelioma Claims

The Minister of State, Ministry of Justice (Lord McNally):

My honourable friend the Parliamentary Under-Secretary of State for Justice (Helen Grant) has made the following Written Ministerial Statement:

“Today I am announcing the Government’s intention to consult publicly on proposals to reform the way that mesothelioma cases are dealt with, including; introducing fixed legal fees for mesothelioma claims; a dedicated pre-action protocol for those claims and an electronic portal on which the claims will be registered. The consultation will be issued in spring 2013. The aim is to ensure that these claims are processed and settled as quickly as possible given the nature of this disease.

As part of that consultation, we will carry out the review required under section 48 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 on the effect of the changes to the recoverability of conditional fee agreement success fees and after the event insurance premiums. We intend to publish the outcome of that review next autumn.

Mesothelioma is an aggressive and terminal occupational disease with an average life expectancy of less than two years from diagnosis. A claim for compensation can take up to two years to settle which means that sufferers often die before their claims are paid out.

The Government considers that it is imperative that these claims are settled quickly and that early payment of compensation is made so as to ease the sufferings of victims of this dreadful disease and give some assurance that their dependants will be financially secure when they are no longer around. However this cannot be achieved without a speedy pre-litigation process which is why the Government has decided to consult on how best to reduce delays in these cases.”