Asbestos Disease Compensation

We win the tough cases
This booklet is designed to help you understand the nature of asbestos diseases and how you and your family can claim compensation.

It is very important that you seek legal advice quickly after diagnosis of any asbestos-related condition to ensure your entitlements to compensation are protected. This booklet also tells you how you can register your exposure to asbestos even if you have not developed an asbestos related condition.

Western Australia has the unenviable title as the most severely affected by asbestos diseases of any population in the world. Turner Freeman has extensive experience over many years of winning landmark compensation claims for our clients and has offices in WA and around Australia.

We also maintain links with law firms in England, Scotland, Northern Ireland, Wales, New Zealand, Canada and the United States. If you were exposed to asbestos dust in these places and are now living in Australia, we can help you to make a claim.

It is important that you know we continue to operate on a “no win, no fee” basis and that unless we gain compensation for you, we will not charge for our work.

As always if you are too ill to travel to one of our offices, we will visit you at home or in hospital.

Please always remember this booklet is a guide, a first step to understanding your rights, and you should contact one of our offices for specific advice tailored to your circumstances.
What is asbestos?

Various types

Asbestos is a commercial term. It does not describe a single mineral but a group of approximately 30 different fibrous minerals which differ chemically and structurally. Chrysotile (white asbestos), Crocidolite (blue asbestos) and Amosite (brown asbestos) were mined or used commercially in Australia. Crocidolite and Amosite are much more associated with mesothelioma than Chrysotile. This is thought to be due to the needle-like shape and small diameter of the fibres which it is believed results in their tending to penetrate deeper into the lung and therefore remaining longer than Chrysotile, which is more likely to dissolve in tissue fluid or be expelled from the lung.

Asbestos was described in the past as the magic mineral. It is highly resistant to heat and acid, is an effective insulator against both electricity and sound and has high tensile strength and, as such, has countless uses.

In Western Australia, blue asbestos was mined at Wittenoom for many years. The town had a population of 20,000 at its peak, of which 7,000 worked in the mine over time. Asbestos was also used widely throughout the state in commercial and residential construction particularly fencing, roofing, fibro wall and floor sheeting as well as for insulation on boilers and pipe work in power stations and steam driven vessels.

Throughout Australia, asbestos was universally used in friction materials such as brake and clutch linings.

The following are some of the typical products that may contain asbestos:

- Asbestos cement building products such as flat and corrugated sheets and asbestos cement pipes – these products were extensively used in Western Australia until the mid-1980s and are still present in many homes today.
- Asbestos insulation products frequently used in power stations, ships and other steam powered vessels – asbestos insulation products began to be phased out and replaced with substitutes from about the late 1970s, however, they were extensively used in industry before that.
- Friction materials such as brake and clutch linings.
- Electrical switchboard backing sheets, in domestic and industrial locations.
- Floor tiles.
- Asbestos reinforced plastics.
- Battery boxes.
- Asbestos millboard – used for insulating purposes including in air-conditioning systems.
- Woven asbestos products such as rope, cloth, tapes, gloves and many other items.
- Fire doors.

The list of products which contained asbestos however, is virtually endless and extreme care should be taken when working with or around any product that could potentially contain asbestos. If there is any uncertainty about whether a product contains asbestos it should be assumed that it does.

Large quantities of asbestos commercially used in Western Australia was mined at Wittenoom, although a significant amount was also imported from South Africa or Canada and from northern New South Wales at Baryulgil and Barraba where white asbestos was mined.

Close up image showing asbestos fibres
Asbestos diseases

Pleural plaques

Pleural plaques are the most common manifestation of past asbestos exposure. They are basically patches of thickened tissue on the surface of the lung. Pleural plaques can cause symptoms when particularly extensive including shortness of breath and pain in some cases.

Asbestos-related pleural disease / Diffuse pleural fibrosis

Asbestos-related pleural disease is a process that usually begins with an inflammation of the pleura that leads to fluid collected in the space between the lung and the chest wall. This is also commonly referred to as a benign asbestos related pleural effusion. The disease normally manifests sooner after asbestos exposure than mesothelioma and is quite different from mesothelioma. Symptoms include shortness of breath and discomfort. When the pleural fluid eventually goes away, the pleura on the lung may become thickened which can compress the lung.

Asbestosis

Asbestosis is scarring of the lung tissue. It stiffens the lungs and makes them less able to transfer oxygen. The immediate effect is breathlessness usually with exertion, but later, even minimal amounts of activity can cause breathlessness. Unfortunately, the disease tends to progress.

Asbestos-induced lung cancer

This is recognised as being one of the most common diseases resulting from asbestos exposure. Asbestos-induced lung cancer is unfortunately often fatal. It is not necessary for a worker to have asbestosis in order to attribute lung cancer to asbestos exposure. The attribution can be made if there has been sufficient exposure to asbestos dust, even if the person was also a smoker.

Mesothelioma

Mesothelioma is a malignant tumour that generally develops in the pleura around the lungs. The condition is terminal. The pleura is a very thin layer of tissue that wraps itself around the lung and lines the inside of the chest wall. Symptoms include a rapid and substantial build-up of fluid, pain and breathlessness. Mesothelioma can also develop in the lining of the abdomen.

Asbestos and cardiovascular disease

It has long been known that significant asbestos disease can impact on cardiac function. If significant asbestos disease is present such as asbestosis and a person’s breathing capacity is substantially reduced then this can put pressure on the heart, making the heart work harder to pump oxygen through the bloodstream.

A paper published in the British Medical Journal in 2012 suggests that asbestos fibres in the body work on a much more basic level to cause inflammation and increase the risk of mortality from cardiac disease. The title of the study is “Cardiovascular disease mortality among British asbestos workers (1971–2005)".
This study has implications for treatment of asbestos disease and how it is viewed in terms of symptoms and also for compensation for asbestos exposure. It has long been thought that as asbestos is an inflammatory agent it may cause other symptoms and disease in the body, not just the diseases that are commonly understood to be asbestos related, being largely diseases of the lung.

Many people with asbestos disease complain of fatigue and pain. Many of those with significant asbestos disease also have cardiac problems.

The British study followed 98,912 asbestos workers and analysed all deaths amongst these workers between 1971 and 2005. The study is therefore an extremely large one and reviewed data over a long period of time – 34 years.

The study notes that inflammation is an essential process in the development of cardiovascular disease. Asbestos is also an inflammatory agent.

It found an excess risk of cardiovascular disease death amongst the asbestos workers when an adjustment was made for smoking. The study found a significantly higher risk of cardiac disease death amongst asbestos workers as compared to the general population. It concludes that its findings provide “some evidence” of an association between occupational exposure to asbestos and cardiovascular disease mortality in asbestos workers.

This study will lead to further studies and research – not only in respect of cardiovascular disease but also in respect of other inflammatory diseases. It may provide support that asbestos is a cause or contributor to a multitude of diseases beyond those commonly associated with asbestos exposure such as asbestosis, lung cancer, mesothelioma and other diseases of the lungs.

Compensation

Generally speaking, compensation entitlements can be obtained in a stress free way. Compensation entitlements depend upon the nature of the asbestos disease, where the exposure occurred (the state or country) and whether the exposure to asbestos occurred during employment, self-employment or in a domestic situation such as home renovations or washing asbestos laden clothes. Other States of Australia and overseas jurisdictions have different compensation schemes. Strict time limits often apply so it is important to seek advice promptly.

In Western Australia there are generally two avenues of compensation.

Claims for workers’ compensation through WorkCover Western Australia

For those who have been employed in Western Australia and have had exposure to asbestos during that employment, compensation entitlements through Schedule 5 of the Workers Compensation and Injury Management Act 1981 may be available. The claim is filed with the person’s employer, or if their employer is no longer in existence with the employer’s insurer, or if the insurer is unknown then with the Insurance Commission of Western Australia, commonly known as ICWA. The Schedule 5 payment is only available to persons who suffer from asbestosis, mesothelioma or lung cancer.

While asbestos related pleural disease/diffuse pleural fibrosis is recognised as an asbestos disease under the Act, it is not subject to the payment. For some persons a workers’ compensation claim may be their only entitlement to damages where for example due to the circumstances of their exposure negligence cannot be proven.

Workers’ compensation claims are a no fault scheme meaning it is not necessary to prove negligence against a person’s employer. Therefore, although the compensation is usually less through a workers’ compensation claim it provides a risk free alternative for persons who cannot pursue damages at common law.
Claims for damages through the District and Supreme Courts of Western Australia

Sufferers of asbestos disease who have had exposure to asbestos in Western Australia can bring a claim for damages through the Western Australian courts. Such claims are generally commenced against employers and/or the manufacturers of the asbestos products that were used. Manufacturers such as James Hardie & Coy Pty Limited and Bells Asbestos & Engineering Pty Limited are common defendants in these types of claims. In circumstances where a person is suffering from an asbestos disease as a result of exposure to asbestos during self-employment or in a domestic situation, a court claim for damages is generally the only option to seek lump sum compensation in Western Australia.

Most claims for damages through the Western Australian courts for asbestos disease settle out of court well before a trial. It is very rare in Western Australia for matters to proceed to a court hearing. The amount of damages recovered will depend upon the severity of the asbestos disease, age and other medical conditions that may also be causing an interference with a person’s quality of life and daily activities.

Strict time limits apply to commencing claims in Western Australia. A person has 3 years from diagnosis with a “significant” asbestos disease to commence court proceedings. The definition of “significant” varies depending upon whether a person’s exposure to asbestos occurred in employment, self-employment or in a non-occupational manner and therefore, it is most important a claim be investigated without delay after diagnosis to ensure entitlements are protected.

Register your exposure to asbestos

Turner Freeman has acted for hundreds of people suffering from asbestos disease in claims for compensation around Australia. These claims can involve complex historical and medical issues. Even if there is no diagnosis with an asbestos disease, the fact of asbestos exposure can still be registered with us. Registering asbestos exposure can assist in protecting future compensation entitlements.

If you have been exposed to asbestos and would like to register your exposure, please complete the form on the next page and return it to us. PO Box 5755 St Georges Tce, Perth WA 6831

No Win No Fee

We work on a no win - no fee basis for asbestos diseases claims.

Unless you recover compensation you will not be charged for any work done by our firm or any expenses incurred by us in investigating your claim.
Exposure and asbestos disease
Registration Form

If you would like to register any previous exposure to asbestos or asbestos disease please fill in this form and return it to us. We will maintain an obligation free file on your behalf at our office. We do recommend that you contact us by telephone if you have been diagnosed with asbestos disease.

Name _______________________________________________________

Address ____________________________________________________________________________

Date of Birth ___ / ___ / ______ Telephone ______________________________

Type of asbestos disease (if any you have been diagnosed with) __________________________________________

Place(s) where exposed or if home renovating, address where renovations occurred _______________________________________________________________________

Employer (if employment based exposure) / Occupier of site (if contractor) __________________________

Time period of exposure _________________________________________________________________

Product(s) exposed to _____________________________________________________________________

Signature ___________________________ Date ___ / ___ / ______

Turner Freeman will open a file and take steps to register exposure on an obligation free basis.

If a person has been exposed to asbestos in Western Australia but has not developed any asbestos disease, it is prudent that their exposure to asbestos be registered and Turner Freeman Lawyers can assist in this regard. If you have been exposed to asbestos or diagnosed with asbestos disease you can:

- Complete this form and return it to:
  Turner Freeman Lawyers
  PO Box 5755
  St Georges Tce,
  Perth WA 6831

- Contact us on (08) 9325 0900. We recommend you call us if you have been diagnosed with asbestos disease.

- You can also register on our website www.turnerfreeman.com.au

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Frequently asked questions about asbestos compensation.

Can I still recover lump sum compensation for lung cancer if I have been exposed to asbestos but have also been a smoker?

Yes, provided that the exposure to asbestos has made a significant or material contribution to the development of lung cancer. Many lung cancer sufferers have previously been smokers but have also had a heavy exposure to asbestos dust and fibre and in those circumstances can often still recover lump sum compensation for their condition.

Can I still recover compensation if my employer is no longer in existence?

Yes, the workers’ compensation legislation has mechanisms that enable the recovery of lump sum compensation for asbestos disease even in circumstances where a past employer has ceased to exist or an insurer cannot be identified. Indeed, this situation arises regularly given the long period between exposure to asbestos and the onset of asbestos disease.

Can I recover compensation if my symptoms are only mild?

Anyone who has a reduction in their breathing capacity as a result of asbestos disease will likely have an entitlement to lump sum compensation. As a general rule, the greater the reduction in breathing capacity, the higher the entitlement to compensation. Given the significant restriction that even a mild reduction in breathing capacity can place on the day-to-day activities of life, lump sum compensation can usually still be recovered by sufferers of asbestos disease whose breathing incapacity is relatively mild.

Is James Hardie, the manufacturer of asbestos fibro products in Western Australia still able to pay claims?

James Hardie & Coy Pty Ltd has a special fund from which compensation is paid to sufferers of asbestos disease who have worked with their products.

Does it matter that I was exposed to asbestos many years ago?

The period between the exposure to asbestos and the onset of asbestos disease is generally around 30 to 40 years but may be as long as 60 years. It is very unusual for asbestos disease to develop less than about 15 years after exposure to asbestos. Many claims for compensation therefore deal with events occurring as early as the 1950s. Our lawyers are highly experienced in taking detailed historical statements from clients and witnesses regarding the manner in which the exposure to asbestos occurred. The legal system for recovering compensation for asbestos disease is designed to take into account these long latency periods.

Can family members of sufferers of asbestos disease claim compensation?

Family members of sufferers of asbestos disease who die from the condition may have lump sum compensation entitlements either through workers compensation or a claim for damages in the courts.
We handle claims no matter where the exposure to asbestos occurred

In Western Australia claims for compensation are available either under workers’ compensation legislation or at common law but we also regularly act on behalf of clients who have had exposure to asbestos in other States of Australia. Our highly experienced lawyers are equipped to advise you on the best option for seeking compensation taking into account where the exposure to asbestos occurred and the various legal systems in each State. Strict time limits apply in some States to the making of claims for asbestos disease.

New South Wales

If you have been exposed to asbestos in New South Wales you may be eligible to claim compensation in the New South Wales Dust Diseases Tribunal which is a specialist court set up to hear dust disease cases. In addition, you may also be eligible to receive a pension from the Dust Diseases Board and medical expenses paid if you were employed in NSW and have a recognised dust disease. A dust disease pension is separate from, and in addition to, any claim in the Dust Diseases Tribunal.

South Australia

In South Australia all claims for asbestos conditions are brought in the District Court of South Australia.

Queensland

In Queensland two avenues of compensation are available including a claim for workers’ compensation through WorkCover Queensland or a common law claim for damages. Queensland has a particularly generous workers’ compensation scheme for asbestos sufferers.

Victoria

Claims for compensation for asbestos disease in Victoria are generally brought through the court system.

Overseas

If you are living overseas but were exposed to asbestos in Australia we can still represent you. Contact us by telephone, email or letter. If you wish to claim in a UK Court (England, Scotland or Northern Ireland) or in the United States of America, Canada and New Zealand, Turner Freeman has links with law firms that can assist you.

Asbestos compensation in the United Kingdom

If you were exposed to asbestos in the UK and later suffer from an illness caused by asbestos, you can claim compensation in the UK, even if you no longer live there. If you have had contact with asbestos both in the UK and in Australia, you can make separate claims in the UK and Australia.

Court action in UK

You can bring a court claim in the UK for mesothelioma, asbestos-related cancer, asbestosis and pleural disease. Time limits apply to these cases.

UK government benefits

If you have any asbestos disease except pleural plaques through coming into contact with asbestos at work in the UK at any time since July 1948, you can apply for an Industrial Injuries Disablement Benefit. Lump sum government benefits are also available for certain asbestos-related conditions. Turner Freeman has been conducting claims in the United Kingdom with the assistance of lawyers in England, Scotland, Northern Ireland and Wales for nearly 20 years.
Commonwealth Employees and Ex-Servicemen

If you are a current or former Commonwealth employee or current or former member of the Australian Defence Force you have the following entitlements to compensation if your asbestos condition is attributable to your employment by the Commonwealth or the Australian Defence Force.

**Entitlements under the Commonwealth Safety Rehabilitation & Compensation Act 1988**

You may be entitled to a lump sum for permanent impairment, weekly payments of compensation for any work-related incapacity, medical expenses and household attendant care. Should you pass away from an asbestos-related condition, a dependant may also have a right to lodge a claim under this Act.

**Entitlements under the Veterans’ Entitlements Act 1986**

In certain circumstances former members of the Australian Defence Force may have entitlements under the Veterans’ Entitlements Act 1986. These entitlements result in a pension and a white or gold card.

If you make a common law claim for the same asbestos condition for which you have been accepted by the Department of Veterans’ Affairs (“DVA”) and a part of your disability pension is paid specifically for asbestos disease, then there could be an affect on your disability pension. Every case is considered separately. Our lawyers are very experienced in dealing with DVA and will provide you with advice regarding your pension, prior to you deciding to go ahead with a common law claim. In the vast majority of cases the lump sum payable through a common law claim far exceeds any lifetime pension payable for asbestos disease. In regards to a Gold Card it will never be taken away from you. Upon receipt of compensation you will not be permitted to use the Gold Card for treatment specifically related to your asbestos disease as future medical expenses are recovered as a part of the claim but you can continue to use your Medicare card.

**Common law claim for damages**

Where exposure to asbestos occurred before 30 November 1988, you may sue for damages through a court claim. This is generally the preferred option however, it is most important that legal advice is sought before any decision is made about the type of compensation to pursue.
Some Turner Freeman landmarks

Hardies worker

Many will remember Bernie Banton as the tireless campaigner for the rights of asbestos victims and workers in general and the fight to ensure that all James Hardie victims receive fair compensation. Bernie was the public face of asbestos victims for many years until his death from mesothelioma in 2007. Turner Freeman successfully acted on behalf of Bernie on two occasions. Bernie was originally diagnosed in the 1990s with benign asbestos disease and Turner Freeman recovered damages on his behalf for this condition.

Tragically Bernie contracted mesothelioma in 2007 and Turner Freeman again acted on his behalf in recovering further damages for his condition. Bernie had originally been exposed to asbestos working for James Hardie at its insulation factory between 1968 and 1974.

John William Booth v James Hardie & Coy Pty Limited

John Booth contracted malignant mesothelioma when he was 71 years of age. Mr Booth worked with brake linings containing asbestos for a period of about 30 years commencing from the early 1950s. The majority of the brake linings that he worked with were manufactured by James Hardie & Coy Pty Limited and a related Hardie company called Hardie Ferodo. Mr Booth’s case was successful firstly in the Dust Diseases Tribunal of New South Wales, then the New South Wales Court of Appeal and ultimately the High Court of Australia. James Hardie and Hardie Ferodo attempted to argue that the products that they manufactured were not the cause of Mr Booth’s mesothelioma. Extensive expert medical evidence was called on behalf of Mr Booth and the High Court of Australia ultimately accepted that the products were indeed a cause of Mr Booth’s condition of mesothelioma. This was a very important case for all sufferers of mesothelioma in Australia.

The late David Sim v Allianz Australia Limited

Mr Sim died in 2009 from lung cancer. Between 1964 and 1979 Mr Sim was employed by various employers to spray asbestos at commercial and construction sites. He had several employers during that period. Each of the employers tried to argue that the asbestos exposure for which they were responsible was not sufficient to have materially contributed to Mr Sims’ condition of lung cancer and in the circumstances they were not liable for damages. It was successfully argued on behalf of Mr Sims’ Estate, with the help of extensive expert evidence, that all of the employers contributed in a material way to the development of Mr Sims’ lung cancer and were each found liable. The matter was successfully defended by Turner Freeman on appeal.

Melissa Haycock v James Hardie & Coy Pty Limited

Melissa Haycock was a 41 year old mother of triplets when she was diagnosed with mesothelioma. She was exposed to asbestos as a baby from building work carried out in her presence on the family home by her late father. Melissa sued Amaca Pty Limited (formerly James Hardie & Coy Pty Limited), the manufacturer of the asbestos cement sheets her father worked with. Melissa’s case settled and she became the first South Australian to receive damages for the cost of care she would have provided to her children but for her condition of mesothelioma.
Willem van Soest v BHP Billiton Limited

Perth man, Mr van Soest contracted mesothelioma and brought a claim against BHP in 2012. He died of the cancer in 2013 aged 74. His mesothelioma was caused by his exposure to loose asbestos fibres when he spent 11 weeks working as a painter and docker at BHP’s Whyalla Shipyard in 1962. During the time he worked in close vicinity to laggers as they installed asbestos insulation around pipes and boilers.

Mr van Soest was successful in his claim and was awarded damages. BHP appealed the decision to the Court of Appeal and sought leave to appeal in the High Court which was rejected.

This case was the culmination of a series of hard fought legal battles with BHP, who spent years fighting asbestos victims. The decision had significant legal implications for thousands of workers who were exposed during their BHP employment or at other major industrial companies.

Allan Fraser Ellis v Comcare

Allan Ellis served in the Royal Australian Navy as a stoker between 1957 and 1963. He served on various steam driven naval warships including HMAS Quickmatch, HMAS Anzac, HMAS Yarra and HMAS Diamantina. He regularly worked in the engine and boiler rooms of the naval ships where asbestos insulation was used on steam pipes, boilers, engines and associated machinery.

Allan subsequently developed asbestosis and asbestos related pleural disease causing symptoms of shortness of breath, pleuritic chest pain and a dry cough.

Turner Freeman acted on behalf of Allan in a claim for damages in the Dust Diseases Tribunal of New South Wales which was successfully settled.

Allan himself provides volunteer advocacy assistance for the Australian Navy in Vietnam Veterans’ Association located at Leeuwin Barracks to past and present defence force personnel who have been injured during the course of service. Allan is shown below with Ms Main of our office and with the HMAS ANZAC II print he kindly gifted to us.
Maree Bouwer v Comcare

Maree was exposed to asbestos during her husband, Bill Bouwer’s employment at the CSIRO laboratory in Floreat, Western Australia. Bill worked as a machinist in the mechanical workshop making stainless steel cylinders and lining them with asbestos insulation. Bill machined ½ inch thick asbestos cement sheets with a band saw.

Maree was exposed to asbestos dust when washing Bill’s asbestos laden work clothes. She also dropped him off and picked him up from work every day and regularly met him for lunch at the workshop. Bill suffered from asbestosis and passed away in 2006.

Unfortunately, like her husband, Maree also developed asbestosis and asbestos related pleural disease. Despite Maree’s husband having passed away Turner Freeman was able to locate a key witness who worked with Bill to confirm his exposure to asbestos. This coupled with the strong medical evidence meant Maree was able to commence proceedings against Bill’s employer and obtain compensation for her disease.

James Hardie Commission of Inquiry

James Hardie manufactured asbestos building products in WA for several decades.

In March 2004 the then Carr New South Wales government announced a Special Commission of Inquiry into the asbestos compensation fund set up by the James Hardie Group. In 2001 James Hardie had set up the medical research and compensation foundation (“MRCF”). The purpose of the MRCF was to pay off all James Hardie’s asbestos liabilities.

The sum of $293 million was placed into the fund for all future asbestos liabilities. Despite cries by unions, victims support groups and Turner Freeman, James Hardie assured the government unions, the stock exchange and the public that the MRCF was fully funded and would have sufficient funds to meet all legitimate compensation claims anticipated for people injured by James Hardie asbestos products. James Hardie then relocated to the Netherlands leaving asbestos victims with access to only $293 million of the MRCF.

The subsequent Commission of Inquiry set up by the New South Wales government found that the MRCF was massively under-funded and that various officers within Hardies either knew or ought to have known that this was the case. Ultimately, the parent company of the James Hardie Group backed down under pressure by governments, unions, media and the public and agreed to fund its future asbestos liabilities in full.

Turner Freeman acted pro bono for the coalition of unions and asbestos support groups at the Commission. Turner Freeman attended the Commission hearings, cross-examined witnesses and made detailed submissions.

For many years brake linings were a source of exposure to asbestos
Support organisations

There are a number of organisations in Western Australia who are available to provide support to those who suffer from asbestos disease or have family members suffering from such conditions including:

**Lung Institute of Western Australia (LIWA)**
LIWA holds a support group meeting on the first Wednesday of each month at the Respiratory Medicine Library of Sir Charles Gairdner Hospital. There are regular speakers on the issues which face people who suffer from lung diseases or respiratory problems. It keeps abreast of the latest research and clinical trials.

Telephone: 08 9346 3198  
Email: www.liwa.uwa.edu.au

**Asbestos Review Program at the Sir Charles Gairdner Hospital**
If you have had 3 months of regular asbestos exposure and/or been diagnosed with pleural plaques or another asbestos disease you may be eligible to join the Asbestos Review Program. The program involves undergoing a 12 monthly review and low dose CT scan which is read by a specialist thoracic radiologist. The results are forwarded to your general practitioner.

In 2012 low dose CT scans were introduced as a part of the program the results of which have shown a 20% reduction in lung cancer mortality.

Low dose CT scans can also detect other asbestos related diseases such as asbestosis or mesothelioma.

**Potential participants can contact:**
ARP@health.wa.gov.au or FraserBrims@health.wa.gov.au
Other areas of practice at Turner Freeman WA

Workers Compensation
If you have sustained a workplace injury you may be entitled to claim workers compensation. Turner Freeman Lawyers are experts in handling work injury and workers’ compensation insurance claims for all types of workplace injury.

Road Accident Injury Claims
If you have been injured as a result of an accident on the road you may be able to claim damages or compensation under Western Australia’s third party motor vehicle scheme.

Road accident claims are for injured drivers, passengers, motorbike riders, push bike riders and pedestrians. If you have been injured in a road accident, you should seek immediate legal advice so you know what your rights are in accordance with the law.

Superannuation and Disability Insurance
All working Australians have a superannuation fund to which their employer must contribute during the course of their working life. You can access your superannuation before retirement age in the event of a serious injury or illness. All superannuation funds also have a component of insurance which is there to help you in the event you are unable to work because of serious illness or injury.

All policies are different. Some funds will offer lump sum benefits in the event that you become totally and permanently disabled or partially and permanently disabled. Some funds will provide temporary cover if you are off work for only a short period of time by paying all or a percentage of your income whilst you are unable to work. Superannuation funds also contain a terminal illness or death benefit.

The terms and conditions applying to these insurance components are often more complex than they look. You do not need to show fault on the part of anyone or that the cause of your illness was beyond your control. Generally the mere fact of having the illness and that it stops you from working is enough.
Melanoma and other skin cancer compensation

It is a sad fact that Western Australia has one of the highest rates of skin cancer in the world. Of these skin cancers, melanoma is responsible for more deaths than any other, despite being the least common type. It is becoming increasingly apparent that many sufferers of skin cancer have contracted the disease from working in the sun for extended periods, sometimes decades, with little to no protection. The extent of exposure to direct sunlight in the workplace is often overlooked.

If you have been unfortunate enough to have contracted melanoma, basal cell carcinoma (“BCC”) or squamous cell carcinoma (“SCC”) from workplace sun exposure, you may be entitled to compensation. It is possible to lodge skin cancer claims many years after the initial exposure.

Those suffering from melanoma and other skin cancers, can contact us for a free consultation. With our “no win, no fee” policy, we will not charge you unless your claim is successful.

Employment and Industrial relations

Turner Freeman Lawyers have acted for employees and their organisations for more than 60 years. We have represented countless individuals during difficult times in their working lives, advising them pragmatically on how to ensure they are treated fairly and obtain the best deal to look after themselves and their families.

We can assist at all steps of a career, and at all times within a job: helping you negotiate the contract and advising on your entitlements, during workplace disputes, in negotiations with your employer, and on termination – be it through unfair dismissal, breach of contract or on some other basis.

Turner Freeman also has particular expertise in employment and industrial relations issues and working with independent contractors and sub contractors.

Please contact us for obligation-free advice in any of these areas.
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www.turnerfreeman.com.au

As always if you are too ill to travel to one of our offices, we will visit you at home or in hospital.
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NORTH LAKES
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Address Unit 1, 9 Gregor Street West QLD 4509
IPSWICH
Manager Greg Black
Phone (07) 3282 8633
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Address 10 Churchill Street QLD 4305
TOOWOOMBA
Manager Greg Black
Phone (07) 4616 8333
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GOLD COAST
Manager Sean Ryan
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