

# Welcome to our Festive Newsletter of 2023

The last six months have continued to be very busy. Jenny Mitchell and Sophie Kirk started with Asbestos Action in the middle of July 2023 as Benefit and Support Workers, each working three days per week. Many of you may have already met with one of them as they are now actively supporting our clients in the community. Aileen Campbell our Charity Administrator, who has been in post nearly a year already specialises in pleural plaques cases. I would like to take the opportunity to thank all three of our new team for the hard work and dedication they have shown working for the charity, but more importantly for the commitment and determination in doing their very best for our clients and their families.

I would like to thank our Board of Directors who are volunteers and give their time freely to attend Board Meetings and other events. A special thanks goes to Iain Murray MBE, for being Chairperson and committing a lot of his own time and effort to ensuring the governance of the charity is maintained at a high standard.

I want to recognise that Christmas is not always a positive time of year for all, for many different reasons. We will be available over the festive break and will only be closed for the bank holidays. If you are alone or need support during the festive period please do not hesitate to contact us. We can chat over the phone or we can visit you at home.

Finally I want to thank all of our clients and families for your ongoing support. It really does give us a tremendous boost when you feedback to us that what we do helps. On behalf of everyone involved with the charity we would like to wish you the best this Festive Season, sending love and best wishes to you all.



*Dianne Foster,  
General Manager*

## A portrait of acknowledgment and recognition

To paint a portrait is a difficult thing. To paint a portrait which captures a person's likeness and character is challenging. To paint a series of portraits which tell a story of an individual, their life, their history and that of a collective tragic legacy is emotional. It is a powerful reminder of the failings of our industrial past humbled by the determination of those who lived, worked and breathed it every day.

In January 2023, Asbestos Action set out to do exactly that. An inclining of an idea by artist Craig Semple has developed into a project of significant importance. Asbestos Action approached past and present clients to see if they would consider having a portrait painted for an exhibition, the response was overwhelming. The result will tell that story paint stroke by stroke.

**ART EXHIBITION - SPRING 2024, DUNDEE**

*Details to follow soon...*

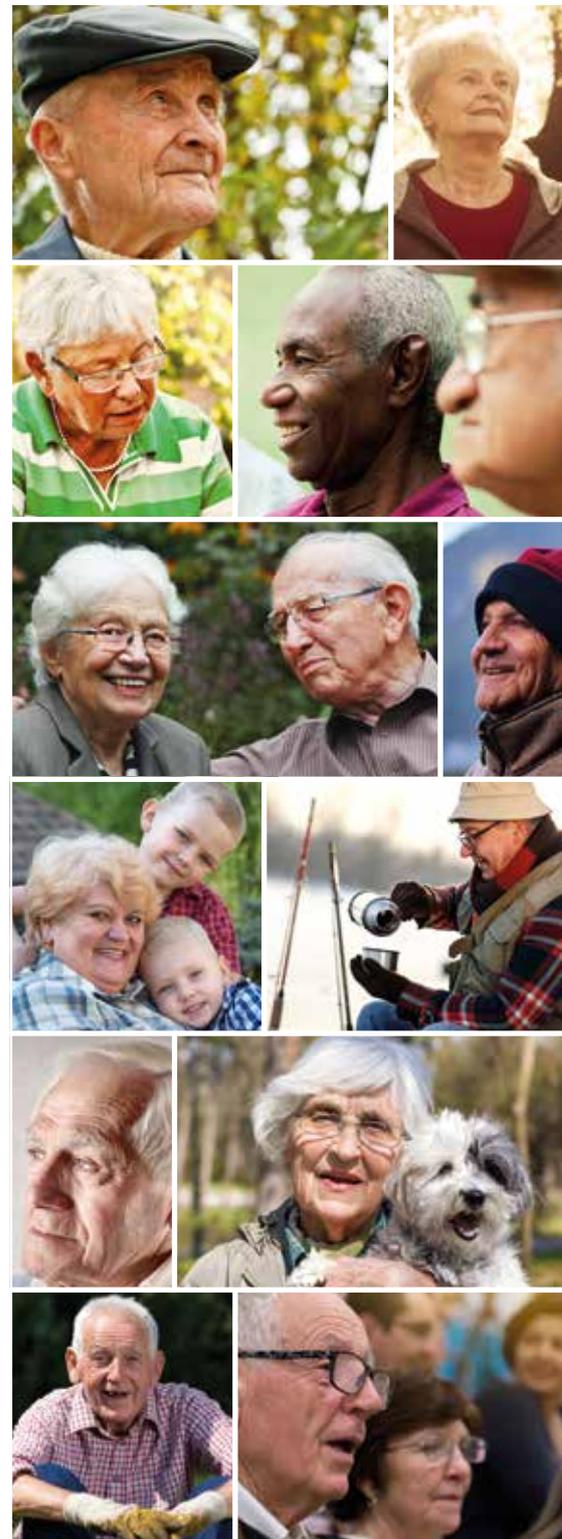


**Asbestos**ACTION

# News

Helping, supporting, advising -  
to keep you informed

WINTER 2023





## When “full and final” does not mean final

When an asbestos-related damages claim is brought to a conclusion, claimants are faced with a choice whether to accept damages “in full and final settlement” or “provisional” damages. The former includes an element of damages to reflect the risk that in future, a more serious asbestos condition may develop. However, if that were to happen then the claimant would have no right to seek further damages. The latter preserves the right to seek further damages if certain agreed, more serious conditions were to develop in future.

Mesothelioma is the exception to this general rule. The law allows a claimant to settle their mesothelioma damages claim in full in their lifetime and thereafter family members still have a right to claim damages for their own loss once the original claimant passes away.

But what happens when there has been a “full and final” settlement for another asbestos condition and that individual then develops mesothelioma? The individual cannot claim further damages for themselves, but we have long argued that the “mesothelioma exception” should still apply to allow the individual’s family to recover damages. This argument was accepted in an important decision in a case, *Crozier & Oths v Scottish Power UK PLC* earlier this year. Despite Mr Crozier accepting “full and final” damages for pleural plaques in 2014, after he passed away following his mesothelioma diagnosis in 2018, it was held his family were still entitled to claim significant damages.

### **More good news for contaminated talc cases.**

After failing in their second attempt to enter bankruptcy to avoid having to meet liabilities to asbestos victims because

of talc and beauty products contaminated with asbestos, corporate giants Johnson & Johnson have now settled the first of many lawsuits to go to trial against them in the United States. We continue to work closely with specialist US Attorneys and have achieved several recent successes on behalf clients who we believe were exposed to asbestos due to contaminated beauty products.

The legacy of asbestos is not only felt in the UK. The ongoing fight for justice remains an international effort.



Fraser Simpson, Partner  
Digby Brown

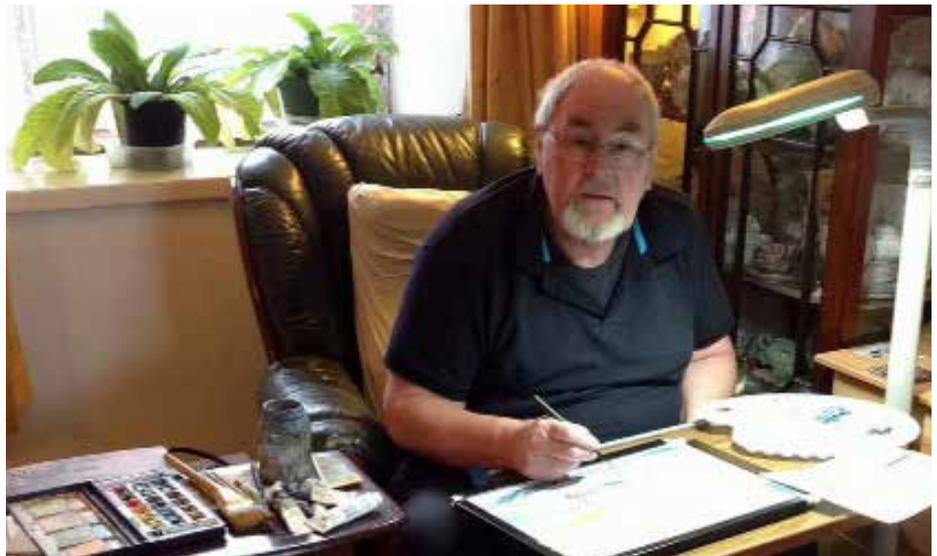
# Meet one of our talented clients

Ships and aircraft have been a main part in my life. As a boy I started drawing them and like others of my generation (the dawn of the AIRFIX era) I made models of them as well. I left school and naturally to my way of thinking went to sea, first as a Cabin Boy in the Merchant Navy, and eventually I enlisted in the Royal Navy.

I continued my interest in ships and aircraft as my job in the RN was as an Aircraft Handler. This is the branch of the Navy which deals with the launching, recovery and movement of aircraft, Air Traffic Control and Crash/Fire rescue on ships and Air Stations.

It was while serving in various Aircraft Carriers that I took up painting once again. I can honestly say that I ate, slept and breathed my subjects. I can still taste hot jet fuel and funnel gases.

I have never set out to be an 'artist'. The subjects I paint are really quite specialist. Not many people want a painting of the 'Battle of the North Cape' unless grand-dad served in one of the ships taking part. I tend to concentrate on lesser known events, and the 'little ship' rather than the



*James Rae, Asbestos Action Client*

battleship and great battles. I do occasional landscapes and still life, but really have little interest in doing more main stream art subjects. Although I am retired, my interest in painting gives me pleasure and has also made lots of new friends.

In 2016 my wife and I were invited to take part in 'DERVISH 75' - events celebrating the arrival of the first Arctic Convoy (code-named Dervish) to Russia. We accompanied several veterans and their carers to Arkhangelsk

and Saint Petersburg, where our Russian hosts had organised visits and commemorative events. Several of my paintings were made up into an A3 book along with the personal stories of people who took part in these convoys. The books, entitled 'Arctic Echoes - 75 Years of Friendship' were presented to Museums, Schools, Colleges, veterans and diplomatic representatives of participating countries. From this visit we have gained a deeper understanding of Russia and the warmth of the people.

***We have many talented clients, so don't be shy, get in touch if you wish to be included in our next newsletter...***

## Donations and Fundraising

Are you thinking of saving the environment this Christmas by not sending Christmas cards and donating to charity? If so we would be delighted if you chose Asbestos Action to receive your donation (*see back page for details on how to donate*).

As we mentioned on the front page we will be holding our Art Exhibition in Dundee sometime in Spring 2024. More details will follow but it would be great to see you there!



# Meet our General Manager

## Dianne Foster, General Manager, Asbestos Action

### We asked Dianne

**Q.** What do you like most about your job?

**A.** There is no question that the best part of my job is the privilege of meeting and supporting wonderful people and their families. The fact that they allow me to be involved in their lives at such a difficult time is humbling.

**Q.** Biggest work challenge?

**A.** Being able to achieve everything I want to for our clients and the charity as a whole. As a charity depending on donations we are limited to what we can do. I am so very grateful to everyone who donates to the charity.

**Q.** How do you like to relax away from work?

**A.** I bought a little cottage and I have enjoyed renovating it over the last four years. I have particularly enjoyed creating a cottage garden and this year for this first time I successfully grew some veggies!! I also have a dog named Rosie who keeps me busy, and I have very recently joined a health club as friends and family have been nagging me to identify more "me time".

**Q.** Your ideal holiday?

**A.** Somewhere hot (but not too hot), where I can sight see but also relax by a pool or beach with clear waters. I find myself gravitating to Rhodes when I fancy a solo holiday as it gives me all of the above without having to take a long flight.

**Q.** Favorite meal?

**A.** I don't have a favourite meal as such as I enjoy lots of different types of food, though something with prawns is often a go to and a beautifully cooked steak with a creamy pepper sauce never goes wrong. Oh goodness my mouth is watering at the thought!

**Q.** Favourite film?

**A.** Hmm, that's difficult. Over the years I find myself watching less films. If I was pushed I would say one of my favourites is Hidden Figures.

**Q.** Person you would most like to meet and why?

**A.** It isn't going to happen as she has sadly passed away, but I would love to meet my gran again. I didn't realise until she passed how inspirational she was to me. I loved her dearly and would like an opportunity to meet with her again to thank her.

**Q.** Your favourite guilty pleasure?

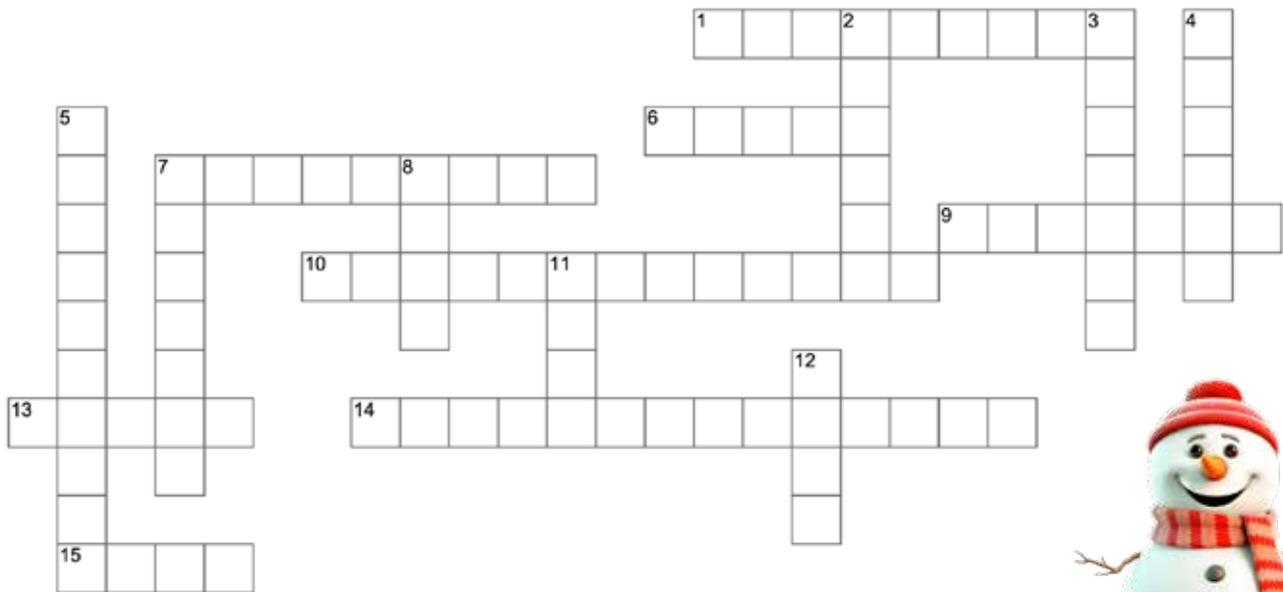
**A.** Oh my, sadly I have a few, hence the need for the health club membership! Chocolate continues to be my go to, whether I am happy, sad or just looking for a treat!



## Christmas Word Search



# Christmas Crossword



## ACROSS

1. You can fill it with small toys, candy, fruit or coins.
6. A popular Christmas color.
7. A hard candy with stripes.
9. Santa Claus comes through it.
10. People have it in their home and like to decorate it.
13. Santa's helpers.
14. Used to count the days of Advent in anticipation of Christmas.
15. It's cold and white.

## DOWN

2. Light made of wax.
3. It looks like a man made of snow.
4. In what season is Christmas Day?
5. He brings children their presents on Christmas day.
7. Homemade and cut into various shapes related to Christmas.
8. Sent by mail as an expression of goodwill at Christmastime.
11. Santa Claus is coming to...
12. On January 1st we say "Happy New ....."

**ANSWERS:** 1. Stockings, 2. Candle, 3. Snowman, 4. Winter, 5. Santa Claus, 6. Green, 7. Cookies, 8. Card, 9. Chimney, 10. Christmas Tree, 11. Town, 12. Year, 13. Elves, 14. Advent Calendar, 15. Snow

## Find the 10 differences



# How you can help - donations:

## How to donate

- Complete the **form below** and send cheque to "Asbestos Action"
- JustGiving - [www.justgiving.com](http://www.justgiving.com)
- **Standing order** (contact us for information)

### Your details

NAME:

ADDRESS:

POSTCODE:

TELEPHONE:

EMAIL:

### Donation amount - I wish to donate (please tick):

£10     £20     £30

OTHER £:

**GIFT AID – important** (please tick):

#### Boost your donation by 25p for every £1 you donate

I want to Gift Aid my donation and any donations I make in the future or have in the past four years, to Asbestos Action. I understand that I must pay an equal amount of UK income tax at least equal to the tax that Asbestos Action will claim in my donations in each year (*currently 25p for every £1*).



SIGNATURE:

DATE:



**Asbestos**ACTION

## About Asbestos Action

Asbestos Action is a charity that relies almost entirely on donations from appreciative sufferers and their families.

The charity was founded in 2002 by a small group of sufferers to assist those diagnosed with an asbestos-related condition.

We are committed to helping anyone affected by an asbestos-related condition, from supporting sufferers and their families after diagnosis to home visits to help fill in complicated benefits forms.

With a small staff of five the charity punches well above its weight in providing this emotional and practical support.

You're the reason we can keep providing our vital service, so no one has to face asbestos-related disease alone.

Donating can help us to support more sufferers and their families who have been affected through no fault of their own.

## Contact details

Asbestos Action  
16-18 Whitehall Street  
Dundee  
DD1 4AF

**T:** 0808 196 1861

**E:** [info@asbestosaction.org.uk](mailto:info@asbestosaction.org.uk)

**W:** [www.asbestosaction.org.uk](http://www.asbestosaction.org.uk)

Asbestos-Action