

## **Compensation obtained for asbestos death teacher**

THE HUSBAND of a teacher who died of asbestos-related lung disease has received an out of court settlement from the local authorities responsible for the schools she worked in.

Joan Henry died of mesothelioma in June 2007, aged 57, after battling the fatal lung disease for almost two and a half years. Mrs Henry worked at schools in Poplar and Romford during a twenty-one year teaching career. It is believed that she contracted the disease from asbestos released from the ceilings of both schools.

Joan had no knowledge of how she had been exposed to the asbestos but consulted specialist asbestos lawyers on the advice of her doctor after the diagnosis of mesothelioma. Specialist asbestos lawyers from Irwin Mitchell were able to obtain evidence from the local authorities and other former teachers which confirmed the presence of asbestos at various locations in the schools she taught in. The claim was vigorously contested and sadly was still going on when Joan died in June 2007. Her husband Stephen with daughters Maria and Laura continued to drive forward her case.

A post mortem confirmed that Joan had died from diffuse malignant mesothelioma of the pleura and the cause was given as industrial disease. However, her former employers, the London Borough of Havering and the London Pension Funds Authority instructed an expert to carry out extensive tests to try and show that she had not been exposed to more than "background" levels of asbestos.

Ultimately the tests could not disprove that she had been exposed to asbestos when teaching at the schools. The case settled out of court on payment of full compensation to Joan's family only days before it was due to be heard in the High Court in London.

Mr Henry said "My wife died for no other reason than breathing the air in her workplace. I hope that her death can help raise awareness of how important it is for education authorities to take all necessary steps in schools so that no one else contracts this devastating and painful disease."

Mesothelioma is a rare type of cancer that can develop in the tissues covering the lungs or the abdomen and is almost always caused by exposure to asbestos fibres. There is no known threshold dose of asbestos below which there is no risk.

Mr Henry's solicitor, Caroline Pinfold from asbestos specialists Irwin Mitchell, said "We are seeing more cases like this where exposure to even low levels of asbestos in the workplace are accepted as a cause of mesothelioma."

"Joan Henry's avoidable death highlights the importance of identifying whether school buildings contain asbestos and the necessity of keeping it properly maintained if it is not going to be removed" Mrs Pinfold said.

Stephen Henry also stated "I am grateful to Caroline and Irwin Mitchell for supporting our family in this terrible ordeal. Without their commitment this result would never have been achieved and this would have been a double blow for us. We had approached other solicitors who would not take the case on."

**ENDS**

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