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## Teachers’ Mesothelioma Deaths are Significant.

### Parliamentary question

On 15<sup>th</sup> December 2009 a Parliamentary question was asked by Baroness Quin:

*To ask Her Majesty's Government how many teachers have contracted asbestos-related diseases.*

The Parliamentary Under–Secretary for Children in the Lords reply appears both wrong and misleading:

**Baroness Morgan of Drefelin:** *Statistics for asbestos related diseases for specific occupational groups are not available.*

*However, HSE has published analyses of national mesothelioma deaths (one of the main and most serious asbestos related diseases) by last recorded occupation of the deceased. These statistics do not tell us about how many teachers have died from mesothelioma as a result of exposure to asbestos in schools. They are limited because they are based on the last recorded occupation, which may not be the one in which asbestos exposure took place.*

*The statistics do show that teachers do not stand out as a high risk group: they are among a group of occupations with numbers of deaths from mesothelioma that are broadly in line with the average for all occupations.<sup>1</sup>*

### Summary.

HSE statistics show that 178 school teachers have died from mesothelioma in the period 1980-2005. If teachers and lecturers in higher and further education are included then a total of 272 have died.<sup>2</sup> But these figures are less than the actual number who have died. It is disturbing that the Minister is not open about these facts.

The Minister is directly comparing numbers of dead teachers with the dead of professions who work directly with asbestos. It would be amazing if teachers stood out against them as a high risk group. She is being misleading. The point is that teachers’ deaths are far higher than they should be in a profession where one should expect minimal or no asbestos exposures.

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<sup>1</sup>Hansard House of Lords written questions HL648 Asbestos Baroness Quin/Baroness Morgan of Drefealin 15 Dec 2009 <http://www.publications.parliament.uk/pa/ld200910/ldhansrd/text/91215w0001.htm>

<sup>2</sup> HSE statistics Mesothelioma Occupational statistics 1980-2000 Table 1- 8 1991-2000. E-mail HSE Statistics Unit/Lees 15 Jul 2008. Mesothelioma deaths in the education sector for males and females 2001-2005. HSE Mesothelioma mortality in Great Britain: Analyses by Geographical area and occupation 2005 Tables 11, 13 (2002-2005)

Teacher's deaths should not be average. They should be way below average and yet they are proportionately higher than coal miners, farmers, bus drivers, doctors, solicitors, policemen, nurses and several other occupations.<sup>3</sup> Clearly teachers have been exposed to more asbestos. This matters because if teachers have been exposed then so have the children and they are more vulnerable to the dangers of asbestos. However the statistics do not show the scale of the children's deaths because the long latency means that they die many years later, and are recorded in whatever occupation they had at the time and not as the result of asbestos exposure as a child at school. The teachers' deaths are therefore the tip of the iceberg.

If a teachers' death certificate shows that they have died of mesothelioma, then it is likely that is the profession that they have had for most of their working life.<sup>4</sup> Any asbestos exposure they experienced in a school will have contributed to their deaths.

There is no level of exposure to asbestos below which there is no risk. All asbestos exposures are cumulative and contribute to the likelihood of mesothelioma developing. Most schools contain asbestos with many containing amosite in large quantities and some contain crocidolite. Both are very dangerous and yet there are frequent asbestos incidents in schools that release the fibres into the classrooms in significant quantities.<sup>5</sup> Also common every day classroom activities can readily release fibres, sometimes on a daily basis.<sup>6</sup> There is therefore ample evidence of teachers, support staff and children being exposed to dangerous levels of asbestos in schools. The inevitable outcome is that some develop mesothelioma as a result. It is irresponsible of the Minister to imply that the asbestos exposures in schools have not contributed towards the teacher's deaths.

Over the last forty years successive Governments have failed to heed these warnings, and rather than assessing the scale of the problems and the risks, instead they deny that there is a problem. The failure of many schools to manage their asbestos,<sup>7</sup> the frequent asbestos incidents, the release of amosite fibres from normal classroom activities and the ever rising deaths amongst teachers and support staff show that there is a very serious problem of asbestos in schools. Quite how many more teachers' deaths does the Minister require?

### **The Minister is wrong. The statistics show that 178 school teachers have died of asbestos related disease**

The Minister is wrong. HSE statistics show that 178 school teachers have died from mesothelioma in the period 1980-2005. If teachers and lecturers in higher and further education are included then a

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<sup>3</sup> HSE statistics Mesothelioma Occupational statistics 1980-2000 Table 1- 8 . E-mail HSE Statistics Unit/Lees 15 Jul 2008. Mesothelioma deaths in the education sector for males and females 2001-2005. HSE Mesothelioma mortality in Great Britain: Analyses by Geographical area and occupation 2005 Tables 11, 13 (2002-2005)

<sup>4</sup> Scottish Parliamentary written answer S2W-15080 18 Mar 2005 <http://www.scottish.parliament.uk/Apps2/Business/PQA/Default.aspx> Death certificate is based on last occupation. Therefore occupation on retirement or death. Average length of service at retiring age, early retirement or because of ill health is about 33 years.

<sup>5</sup> See [Reports of Incidents and Media Articles](#) for examples of asbestos incidents in schools. at [www.asbestosexposureschools.co.uk](http://www.asbestosexposureschools.co.uk)

<sup>6</sup> See [Release of Asbestos Fibres in System built schools \(Part 1\)](#) for examples of slamming doors, hitting walls.

[www.asbestosexposureschools.co.uk](http://www.asbestosexposureschools.co.uk) See WATCH committee minutes 6<sup>th</sup> February 2006 for displaying children's work.

<http://www.hse.gov.uk/aboutus/meetings/iacs/acts/watch/agendas.htm> See Derby City Council Lees Brook Press release October 11 2007 <http://www.derby.gov.uk/EducationLearning/AssetManagementPlanning/LeesBrook.htm> for stationary cupboards

<sup>7</sup> See [Determining the scale of the problem in System Built Schools](#) for results of HSE/DCSF questionnaire showing unacceptable standards of asbestos management.

total of 272 have died of mesothelioma.<sup>8</sup> But these figures are less, and perhaps significantly less, than the actual number who have died of this cancer.

### **The Minister is being misleading by ignoring the causal link to asbestos in schools**

The Minister is being misleading. She says *“the statistics do not tell us how many teachers have died as a result of exposure to asbestos in school.”* The important and dangerous point is that the causal link is established, for the HSE statistics show that the teaching profession has a far higher numbers of deaths from exposure to asbestos than it should have. The HSE statistics show that in a profession that should have little or no contact with asbestos the teachers are dying of asbestos disease at a rate of death far higher than they would had they had no asbestos exposure,<sup>9</sup> or indeed in an occupation such as farming or forestry<sup>10</sup> where they genuinely have little or no contact with asbestos.

### **Minister misleads by saying *“The statistics do show that teachers do not stand out as a high risk group”***

High risk groups are ship building, asbestos stripping, boiler lagging and the building maintenance trades. It would be astonishing if teachers’ deaths stood out in this company. The Minister is concealing the fact that teachers do stand out as a high risk group when compared with professions that have little or no contact with asbestos. These are, of course, the professions they should be compared with.

### **Minister misleads by using averages inappropriately to conceal the true position**

Teacher’s deaths should not be average. The occupational statistics for mesothelioma lists the deaths amongst all occupations, and that includes the high risk ones such as ship building, asbestos stripping, boiler lagging and the building maintenance trades. Therefore if an occupation is at or near the statistical average then it shows there has been a considerable asbestos exposure.

This matters as for every teacher who is exposed many children are also exposed. Children are therefore also receiving significant exposure, at times even higher than adults in a broad cross section of occupations. But schools should be far safer than any other workplace purely because they contain children. It is therefore unacceptable to make a comparison with the high risk or even average risk occupations. Just because a dangerous carcinogen is killing people in other occupations it does not make it acceptable that it is also killing people in schools.

Asbestos exposure normally takes place amongst manual occupations and trades that frequently come into contact with asbestos, one should therefore not expect the members of a white collar profession such as teaching to be dying of asbestos related disease at a rate on par with or greater than some manual occupations. And yet they are, for male teachers have a proportionately greater number of mesothelioma deaths than for instance coal miners, bakers, bus drivers/conductors,

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<sup>8</sup> HSE statistics Mesothelioma Occupational statistics 1980-2000 Table 1- 8 1991-2000. E-mail HSE Statistics Unit/Lees 15 Jul 2008. Mesothelioma deaths in the education sector for males and females 2001-2005. HSE Mesothelioma mortality in Great Britain: Analyses by Geographical area and occupation 2005 Tables 11, 13 (2002-2005)

<sup>9</sup> HSE statistics Mesothelioma Occupational statistics 1980-2000 Interpretative issues p5

<sup>10</sup> HSE statistics Mesothelioma Occupational statistics 1980-2000 Highest and lowest risk occupations for males p7. Tables 3, 5. E-mail HSE Statistics Unit/Lees 15 Jul 2008. Mesothelioma deaths in the education sector for males and females 2001-2005. HSE Mesothelioma mortality in Great Britain: Analyses by Geographical area and occupation 2005 Tables 11, 13 (2002-2005)

cooks, farmers and motor mechanics,<sup>11</sup> which demonstrates that they have been exposed to significantly more asbestos. If they are compared with broadly similar professions such as solicitors, doctors, the clergy, government administrators or police officers the teachers' deaths are proportionately higher than all of them.<sup>12</sup> If the number of deaths amongst male doctors, nurses and the clergy are corrected for all causes of deaths and compared to male teachers, the deaths amongst the teachers are about sixty per cent higher.<sup>13</sup> Once again this shows that as a profession they have suffered a significantly greater extent of asbestos exposure.

If female teachers are compared with a similar profession then marked differences are also shown, in the twenty year period 1980-2000 their incidence of mesothelioma deaths was the average amongst all occupations. There are similar numbers of female teachers as there are female nurses and yet in the same period the proportion of female teachers dying of mesothelioma was precisely twice that of female nurses. One would have thought that neither profession should experience asbestos exposure, however the statistics demonstrate that both professions have experienced significant exposure, with the exposure of the teachers being twice that of the nurses.<sup>14</sup>

School teachers' mesothelioma deaths have been relentlessly rising since the 1980's from 15 in the five year period up to 1985 to 64 deaths between 2001 and 2005. In a profession where one should expect minimal or no asbestos exposure the statistics show that there has been widespread, significant and increasing exposure in the nation's schools over the course of many years.

The Minister is wrong to conceal the disturbing figures for teachers' mesothelioma death rates with a statistical trick. The trick appears designed to show that most teachers' deaths are caused by an average background exposure as a way of avoiding addressing the clear statistical message - that the deaths are caused by asbestos exposure in schools.

**Minister misleads by saying the statistics “are limited because they are based on the last recorded occupation, which may not be the one in which asbestos exposure took place”.**

The Ministers statement that the statistics “are limited because they are based on the last recorded occupation, which may not be the one in which asbestos exposure took place” is misleading. For if a teachers' death certificate shows that they have died of mesothelioma, then it is likely that is the profession that they have had for most of their working life. Any asbestos exposure in a school will have contributed to their deaths.

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<sup>11</sup> HSE statistics Mesothelioma Occupational statistics 1980-2000 Highest and lowest risk occupations for males p7 Table 5, E-mail HSE Statistics Unit/Lees 15 Jul 2008. Mesothelioma deaths in the education sector for males and females 2001-2005. HSE Mesothelioma mortality in Great Britain: Analyses by Geographical area and occupation 2005 Tables 11, 13 (2002-2005).

<sup>12</sup> HSE statistics Mesothelioma Occupational statistics 1980-2000 Table 1- 8 table 3 - 5 year time period.. E-mail HSE Statistics Unit/Lees 15 Jul 2008. Mesothelioma deaths in the education sector for males and females 2001-2005. HSE Mesothelioma mortality in Great Britain: Analyses by Geographical area and occupation 2005 Tables 11, 13 (2002-2005)

<sup>13</sup> From the HSE mesothelioma statistics for the period 1980-2005, excluding 1981 and 2001, there were 109 male and 59 female teacher deaths, 55 deaths in male nurses, clergy and doctors and 51 deaths in female nurses. If the number of deaths in nurses, clergy and doctors are corrected for the all causes deaths in these occupations for the period 1979-1990, excluding 1981, the mesothelioma rates in male teachers are about 60% higher than in male nurses, clergy and doctors and in female teachers are about 70% higher than in female nurses. From official statistics it can be therefore considered that schoolteachers have experienced at least 60% higher mesothelioma rates than those in comparative professions. Howie 6 Jan 2010. Drever F 1995 Occupational Health Decennial Supplement OPCS. HSE 2008 Mesothelioma mortality in Great Britain. Analyses by Geographical area and occupation 2005. HSE 2003. Mesothelioma occupational statistics. Male and female deaths aged 16-74 in Great Britain.

<sup>14</sup> HSE statistics Mesothelioma Occupational statistics 1980-2000 Table 6

She is correct that the statistics are based on the last recorded occupation and therefore if it states “Teacher” then that is the occupation the person had when they retired through age<sup>15</sup>, ill health or took early retirement. Or because they died in post. Until relatively recently teaching used to be considered a lifetime profession<sup>16</sup> and statistics confirm that to be the case, for the average length of service on retirement for a teacher is about thirty years.<sup>17</sup> Their deaths are therefore generally recorded under the occupation that they spent their working life – as a teacher in a school. Their death certificates and the statistics are therefore invariably a true reflection of the occupation in which asbestos exposure took place that contributed towards their deaths.

### **Statistics understate actual numbers of teachers dying of mesothelioma.**

Rather than overstating the number of teachers who have died of mesothelioma, as the Minister implies, the statistics understate the actual numbers. For instance there are a significant number of particularly female teachers who work in the teaching profession for a number of years and then leave to bring up a family.<sup>18</sup> Some do not return, and therefore, although their exposure might have taken place as a teacher in a school, their subsequent death is not recorded as a teacher.

In addition statistics do not record a person’s occupation above the age of 74. As the average latency for particularly low level exposure is long,<sup>19</sup> a significant number of people die of mesothelioma without their occupation being recorded, with about a quarter of male mesothelioma deaths being over the age of 74,<sup>20</sup> and 44% of females.<sup>21</sup> It is known that teachers have died over the age of 74, and it is probable that a significant number have.

### **Caretakers, teaching assistants, nursery nurses, school secretaries and school cleaners have died of mesothelioma**

In addition to the teachers, other people who work in schools have died of mesothelioma including caretakers, teaching assistants, nursery nurses, school secretaries and school cleaners. HSE acknowledge that school caretakers are particularly at risk,<sup>22</sup> this was confirmed by a study in the USA that determined that a significant proportion of school “custodians” had signs of asbestos related disease. It is relevant that about half the study group had no known asbestos exposure outside their work as custodians.<sup>23</sup>

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<sup>15</sup> Normal Retirement Age for a teacher is 60. DCSF 3.7 Schools: Teaching Population a. Number of full-time teachers by age in maintained nursery, primary and secondary schools, England, March 2006 and March 2007

<sup>16</sup> House of Commons Education and Skills Committee Secondary Education: Teacher Retention and Recruitment Fifth Report of Session 2003–04 para 110

<sup>17</sup> E-mail DCSF Workforce Group /Lees 27 January 2010 15:47 Case Reference 2010/0004693 The average length of service for full-time teachers. Scottish Parliamentary written answer S2W-15080 18 Mar 2005

<http://www.scottish.parliament.uk/Apps2/Business/PQA/Default.aspx> Death certificate is based on last occupation. Therefore occupation on retirement or death. Average length of service at retiring age, early retirement or because of ill health is about 33 years.

<sup>18</sup> Survey of teachers resignations and retirements calendar year 2008 Local Government Association and National Foundation for Educational Research April 2009. Statistics of Education: Teachers England and Wales 2000 edition. National Statistics. P96-104

<sup>19</sup> Malignant mesothelioma due to environmental exposure to asbestos: follow up of a Turkish cohort living in a rural area. Chestp2228. Metintas. HSE RR728 Projection of mesothelioma mortality in Great Britain p1 2009

<sup>20</sup> HSE Death certificates mentioning mesothelioma, 1968-2005 table Meso02

<sup>21</sup> HSE Death certificates mentioning mesothelioma, 1968-2005 table Meso03

<sup>22</sup> HSE Asbestos An important message to schools Mar & Aug 2006. DfES Asbestos An important update for schools Jun 2006

<sup>23</sup> Asbestos-related disease in public school custodians. Oliver, Sprince, Greene. American journal of Industrial medicine 19:303-316 (1991). HEI Asbestos in public and commercial buildings. 1991 A2.3.1.5

The deaths amongst the support staff add to the evidence that people in schools die of asbestos related disease.<sup>24</sup>

### **The Minister fails to assess the number of children's deaths.**

The teacher's and support staff deaths are the tip of the iceberg. For if they are being exposed to asbestos in schools and dying of mesothelioma then so are their children. It is known that children are more vulnerable to the effects of asbestos,<sup>25</sup> and for every teacher there are twenty to thirty children so there will be proportionately more deaths. But this is not reflected in the mesothelioma occupational statistics because the long latency means that their deaths occur long after they have left school and are not recorded as the result of asbestos exposure in a school. Amongst all other workplaces schools are unique places as the statistics only reflect the mesothelioma deaths of small percentage of the occupants who have been exposed to asbestos, as the vast majority are children.

Studies have shown that low level exposures can on average have a longer latency than the norm. Latencies for mesothelioma from first exposure to first symptoms have been recorded from less than 10 years to over 60 years, and throughout the whole population on average the latency is 30-40 years.<sup>26</sup> In comparison studies have shown that those exposed to low level exposure on average can develop the disease some 50-56 years later.<sup>27</sup> Consequently a child exposed to asbestos at school will die many years later and their death will be recorded under whatever occupation they had at the time.

The Minister for Children is failing in her responsibility for the occupants of schools and in particular the children. It is known that the occupants of schools have been exposed to asbestos. It is known that teachers and support staff have died of asbestos related disease and there is a clear and direct correlation between their deaths and the exposures. But of greatest concern is that there is also a direct correlation between their deaths and those of the children. It is for these very reasons that for decades successive governments have been asked to assess the scale of the asbestos problem in schools and to carry out a risk assessment. But they have refused.<sup>28</sup> Despite failing to take these basic steps of risk management the Minister has arbitrarily dismissed the teachers' deaths, implying that asbestos exposure in schools has not been instrumental in their deaths. This is unacceptable.

The Minister has a clear duty to assess the scale of the asbestos problem in schools and to carry out a risk assessment with particular emphasis on children.

### **Other Countries with less danger have carried out a risk assessment, unlike the Minister**

In the 1980's the USA acknowledged that schools have to be treated as a special place, and they made an estimate that 1,000 teachers and children would subsequently die of mesothelioma from

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<sup>24</sup> See [Statistics - Deaths in the Education Sector from Mesothelioma](http://www.asbestosexposureschools.co.uk) at [www.asbestosexposureschools.co.uk](http://www.asbestosexposureschools.co.uk)

<sup>25</sup> See [The Increased vulnerability of children to asbestos](http://www.asbestosexposureschools.co.uk) at [www.asbestosexposureschools.co.uk](http://www.asbestosexposureschools.co.uk)

<sup>26</sup> HSE RR728 Projection of mesothelioma mortality in Great Britain p1 2009

<sup>27</sup> Malignant mesothelioma due to environmental exposure to asbestos: follow up of a Turkish cohort living in a rural area. Chestp2228. Metintas. Asbestos exposures in malignant mesothelioma of pleura; a survey of 557 cases Bianchi Industrial health 2001,39, 161-167 . Mesothelioma: cases associated with non-occupational and low dose exposures Hillerdal Occup Environ Med 1999;56:505-513

<sup>28</sup> Follow [this link](#) for refusals to undertake an audit and risk assessment.

their asbestos exposure at school, with about 90% of the deaths expected to occur among persons exposed as school children.<sup>29</sup>

Chrysotile can cause mesothelioma but amosite is 100 times more dangerous and crocidolite is 500 times more dangerous.<sup>30</sup> Ninety nine percent of asbestos in America is chrysotile,<sup>31</sup> but the asbestos problem in our schools is far worse for they contain amosite and crocidolite, not only is the material considerably more dangerous it is also ten times more likely to release its fibres.<sup>32</sup> Despite the far greater risks our Government has never treated our schools as a special place and has never carried out a risk assessment. The American Government assessed the scale of the problem and the risk, and because they acknowledged that teachers, support staff and children would die from asbestos exposure in their schools, they passed laws specifically for schools and they were able to allocate proportionate resources. Whereas in comparison the British Government has never publicly acknowledged that people are dying of their asbestos exposure in schools, refuses to carry out a risk assessment and then despite overwhelming evidence makes unsubstantiated and misleading statements.

### **Ample evidence of teachers, support staff and children being exposed to asbestos**

Everyone attends school. The vast majority of schools contain asbestos with many of them containing the more dangerous types, that of amosite and crocidolite. All of this asbestos material is old with much of it deteriorating, consequently it readily gives off its fibres. Many schools do not have effective systems of asbestos management<sup>33</sup> so that there are frequent asbestos incidents that release significant levels of fibres.<sup>34</sup> In addition the fibres are being released on a daily basis in many schools from common classroom activities.<sup>35</sup> Therefore there is ample evidence that over the years teachers, support staff and pupils have been, and still are being, exposed to asbestos. Although many of the exposures are “low level” there is no known level below which there is no risk, in addition each exposure, however small is cumulative and all contribute to the likelihood of mesothelioma developing.<sup>36</sup>

### **Schools contain large quantities of amosite which is considered to be major cause of Britain having highest incidence of mesothelioma in the world.**

An HSE study published in 2009<sup>37</sup> concluded that the British mesothelioma death rate is now the highest in the world, and they considered that a major cause was because Britain was the largest importer of amosite. The study also concludes that mesothelioma risk is determined largely by asbestos exposure before the age of 30. This is particularly relevant to schools as exposure as a

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<sup>29</sup> American Academy of Pediatrics Asbestos Exposure in schools Pediatrics vol 79, no 2 Feb 1987 p301- 305 Reaffirmed May 1994  
Support document for the proposed rule on friable asbestos-containing materials in school buildings EPA report 560/12-80-003

<sup>30</sup> The Quantitative risks of mesothelioma and lung cancer in relation to asbestos exposure Hodgson and Darnton HSE Statistics Unit Ann Occup Hyg Vol 44 No 8 pp 565 -601 Jun 2000

<sup>31</sup> Toxicological profile for asbestos US Department of Health and Human Resources Sep 2001 p15

<sup>32</sup> Amendment to the control of asbestos at work regulations 1987 and ACOP. Regulatory impact assessment. HSE Safety and Health Economics p 34 July 2002

<sup>33</sup> See response from DCSF Questionnaire - 11 Nov 09 [Determining the scale of the problem in System Built Schools](#)

<sup>34</sup> See [recent asbestos reports and incidents at this link – www.asbestosexposureschools.co.uk](#)

<sup>35</sup> See [Release of Asbestos Fibres in System built schools \(Part 1\)](#) [Release of Asbestos Fibres in System built schools \(Part 2\)](#) WATCH committee minutes 6<sup>th</sup> February 2006 para 3.62

<sup>36</sup> (Jeffrey Burke QC Edgson v Vickers plc (QBD) Dr Rudd, Dr Hugh Jones, Dr Britton p524 1994) High Court QBD Liverpool District. The Hon Mr Justice Nicol . Dianne Willmore and Knowsley Metropolitan Borough Council 24 July 2009 Para 4

<sup>37</sup> HSE Occupational, domestic and environmental mesothelioma risks in Britain. 2009 . IMIG Congress Abstract 25-27 Sep 2008

child starts the process and allows a lifetime for the disease to develop, with all exposures being cumulative and all adding to the likelihood of a tumour developing.

The study also emphasised that amongst men and women who are unaware of their exposure the British mesothelioma rate is four times greater than elsewhere in the world. The report speculates that the possible sources of such exposures include the release of asbestos from buildings due to normal occupation and weathering.

Much of the asbestos in British schools is amosite, and in some schools it is being regularly disturbed so that it releases fibres in a manner that teachers would invariably be unaware of their exposure and it is highly unlikely that children would be aware of their exposure. In other words the exposures fit precisely into the pattern of the mesotheliomas from unknown exposures that are four times more prevalent in Britain than elsewhere in the world.

### **Minister fails to learn lessons from Coroners' findings at teachers' inquests**

An inquest is held following a death from mesothelioma. Coroners have recorded the verdict of "*death from industrial disease*" at the inquests of a significant number of teachers who have died of mesothelioma. The evidence on which they have based their verdicts has shown that asbestos exposure has occurred at school, and their verdict of "*death from industrial disease*" states in law that in all probability the person's death was caused by their work, which in the case of school teachers is teaching children in a school.

One of the purposes of an Inquest is that lessons should be learnt. When a coroner gives a verdict that identifies asbestos exposure in a school as causing a teacher's death one would expect immediate action to be taken because of the wider implications. It is clear from the Minister's answer that she has not only failed to heed the warnings given by the growing number of teachers dying from asbestos disease, but she has also failed to heed the verdicts of the courts. As a consequence she has not taken the action that it is her duty to take as a Minister. She has failed in her duty of care.

### **Despite warnings a Precautionary approach has not been adopted**

As a Children's Minister Baroness Morgan is fully aware that the concern is that if teachers and support staff are dying of asbestos exposure then so are the children. Alarm bells should have been ringing for years at the highest level with this mounting death toll amongst teachers and support staff, but instead of taking the necessary action, the Minister has dismissed the teachers' deaths and by doing so has failed to acknowledge the far wider implications.

More than forty years ago the Government were told that low levels of exposure could cause mesothelioma, and that children were particularly at risk. They were warned that because knowledge was not complete, they must take a precautionary approach and implement measures to prevent the asbestos exposure of children in schools.<sup>38</sup> Knowledge is still not complete, adequate measures have still not been taken and despite mounting evidence that there is a serious problem of asbestos in schools Ministers have failed to take a precautionary approach. It is irresponsible of the Minister to ignore the evidence of the teachers' and support staff deaths and to ignore the evidence

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<sup>38</sup> Letter Dr Lloyd Davies Head Medical Officer Factories Inspectorate Ministry of Labour/Department of Education 6 Mar 1967  
1966 Annual report of HM Chief Inspector of Factories on Industrial Health. Ministry of Labour P60 August 1967



of frequent asbestos exposures in schools. How much more evidence does she need before she takes the necessary action?

### **Conclusion**

The Minister for Children's parliamentary answer is not only misleading and wrong but it also underlines the fact that until Ministers acknowledge that there is a serious problem of asbestos in schools, they will never properly address the problem. There is mounting evidence that many schools have not, and are not managing their asbestos safely, this has resulted in frequent asbestos incidents and the exposure of teachers, support staff and children. The inevitable result is the ever rising death toll, but instead of accepting these deaths as a warning that something very serious has been happening, she has attempted to dismiss the deaths as being the result of exposure anywhere other than in a school.

Teachers, teaching unions, support unions, solicitors, doctors, asbestos consultants, coroners and others have been, and are, telling her that there is a serious asbestos problem in schools. Unfortunately this Minister's parliamentary reply shows that she is prepared to 'spin' statistical evidence in order to avoid addressing that problem.

More than forty years ago the Government were warned of the particular risk to children and told that they must implement measures to prevent the asbestos exposure of children in schools. They have failed to do that, and even now when faced with the growing evidence the Minister has failed to take the precautionary approach.

The teachers' deaths are the tip of the iceberg. They are the dreadful proof that significant asbestos exposure has taken place over the course of the last sixty years in the nation's schools that has exposed not only the teachers but also the support staff and the children. They are the evidence of a far greater number of people who have developed, and will, develop mesothelioma from their asbestos exposure as a child at school. The evidence is there, it is dangerously irresponsible of the Minister if she chooses to ignore it.

The Minister has a clear duty to implement a national audit to establish the scale of the asbestos problem in schools and to carry out a risk assessment to determine how many staff and pupils have died and how many more will die. Only once she has established the facts will she be able to allocate proportionate resources so that schools are made safe for future generations.

*Michael Lees*  
*6<sup>th</sup> January 2010*