

**Occupational Health Special Interest Group**

**London Kingsway Hall Hotel**

**Minutes of Meeting: Friday, 5 July 2013, 3.30-8.00 p.m.**

**A. Daniel Easton**

Daniel Easton read out EC update.

**B. Open Discussion**

Based on attached "*Topics for Discussion*" between Daniel Easton, Stephen Glynn, Frank Burton QC, Andrew Morgan (Field Fisher Waterhouse) and Dr Charles Twort.

There was a lengthy 2 hour discussion based around the topics raised, with numerous questions asked.

Meeting ended 17:30

Collection for Mesothelioma UK as 5 July is "*Action Mesothelioma Day*"

TOPICS FOR DISCUSSION

- Lung cancer**
- Does Helsinki still apply?
  - What is the current lower limit for doubling of risk?
  - What is relative carcinogenicity of chrysotile/ amosite/ crocidolite?
  - "Material contribution" or "doubling of risk" after Phurnacite?
- Asbestosis**
- Is "asbestosis" an injury or a diagnosis?
  - If the injury is "fibrosis" then does asbestos make a material contribution when IPF is present? Or if there are other potential causes of fibrosis I.e. rheumatic disease? Drug treatments?
  - Fibre counts – where are we after *Sabin*?
- Mesothelioma**
- All medical / causation questions sewn up?
  - Pre-symptom tumour growth 5 years or 10 years?
  - We need to prove foreseeable risk of developing asbestosis?
  - We need to prove that this intensity if continued for 40 years gives rise to a foreseeable risk of developing asbestosis?
  - Projected numbers
  - Current medical treatments – chemoembolization?
  - Typical life expectancies
  - The insurance position after *International Energy Group Ltd v. Zurich* [2013]
  - EWCA Civ 39
- Foreseeability**
- What is the standard for proving breach pre'65 ('68?) after *Baker v Quantum*?
  - Do we need to worry about *Williams v. Uni of B'ham* and TN13 still?
  - Is *Maguire* still the last word on secondary exposure after 1965?
  - Brake lining cases – can you win them?