



WELSH DAY

# Industrial Disease Lawyers

Supporting pneumoconiosis and  
silicosis sufferers across the UK



## Justice for industrial disease victims

Leigh Day was established in 1987 and has become known as a firm that specialises in complex aspects of personal injury and human rights law. We are not afraid to take on challenges that would daunt many others.

**“The best in the field of industrial disease. They know exactly what they’re doing and are really impressive. They’re really easy to work with, very user-friendly and extremely switched on.”**

Chambers and Partners 2024

Our Industrial Disease Team specialise in representing workers exposed to hazardous substances. With decades of experience, we have successfully fought for the rights of individuals suffering from a range of occupational diseases, and our commitment to changing laws to protect these workers underscores our dedication to justice.

We have been representing clients in industrial disease claims for over 30 years and our team of experts is one of the largest and most respected litigation teams in the UK and internationally.

We are one of the only firms in the country ranked Band 1 for asbestos and industrial disease claims by Chambers & Partners, the independent guide to the legal sector. Three of our lawyers are also individually ranked in the Band 1 UK category, more than any other firm in the country.



## Industrial disease claims

Silica is a common, naturally occurring substance found in stones, rocks, clay, and sand as well as products such as bricks tiles, concrete, and some plastic composites.

We specialise in silicosis claims representing miners, construction workers, sandblasters, and stone masons who have been exposed to high levels of silica dust. We have recently started to represent a 'new wave' of kitchen fitters exposed to silica whilst cutting artificial stone. A silicosis claim provides individuals with crucial financial support and can offer a sense of justice and recognition for the suffering endured because of exposure to silica dust in the workplace.

### **Pneumoconiosis and silicosis: understanding the risks**

Pneumoconiosis refers to a group of lung diseases caused by inhaling and retaining dust, resulting in lung tissue scarring (fibrosis). Silicosis, a prevalent form of pneumoconiosis, arises from inhaling silica dust, common in various industrial processes like cutting, drilling, and grinding.



Silicosis is an irreversible lung condition caused by inhaling large amounts of silica dust over a prolonged period and poses significant health risks worldwide. The associated danger between dust and lung disease has been known for over a century, and recent events in Australia, where there has been a rise in cases of silicosis linked to the use of artificial stone in kitchen worktops, highlights ongoing concerns.



Once inside the lungs, the silica dust particles are attacked by the immune system which causes inflammation and scarring of the lung tissue.

While Australia has banned the use of artificial stone due to silicosis cases, the same material remains in use in the UK and the US, signalling potential future problems.

### **Types and symptoms**

Silicosis manifests in different forms based on exposure duration and intensity:

- Chronic Silicosis: occurs after prolonged exposure, typically over 20 years.
- Accelerated Silicosis: develops after higher levels of silica exposure over 5-15 years.
- Acute Silicosis: less common but severe, resulting from brief exposure to high levels of silica.

### **Silicosis symptoms include:**

- Shortness of breath
- Fever
- Fatigue
- Loss of appetite
- Chest pain
- Severe cough

### **Who is at risk?**

Employees in various industries can face silica dust exposure and are at a higher risk of developing silicosis. You may have been exposed to silica dust working in the following industries:

- Construction
- Demolition
- Mining
- Glass manufacturing
- Paving
- Pottery and ceramics
- Sand blasting
- Stone masonry and cutting or kitchen worktop fitting

## Compensation claims for silicosis

Employers have a duty of care to protect workers from health and safety risks, including silica dust exposure. Despite longstanding awareness, many workers still suffer. Leigh Day helps prove the legal relationship between workers and employers, securing compensation for negligence.



As an employee, your health and safety should always be a top priority for employers. This includes protecting you from exposure to harmful substances, like silica dust, which is known to cause silicosis. Our team at Leigh Day understands the importance of seeking compensation as soon as possible.

With recent success in obtaining compensation for chronic, acute and accelerated silicosis cases, we are equipped to help prove that your employer had a legal duty of care towards you and breached that duty by exposing you to hazardous levels of dust. We will work to gather evidence of your employment history, along with medical and occupational hygiene reports to support your case.

We will work to prove there was a “breach of duty” for example that your employer did something wrong by exposing you to levels of dust, and that you worked in conditions which would have been deemed negligent at the time. Where possible, we can refer to specific rules from The Control of Substances Hazardous to Health (COSHH) Regulations, which employers must comply with to protect employees from harmful exposure to silica dust.

We will also obtain medical evidence, usually from a respiratory expert, to confirm that your exposure to silica dust with your employer has caused you to develop silicosis. We may also require a report from an Occupational Hygienist, to comment on the conditions you worked in, and from a nursing care expert, to comment on your past and future need for care and assistance due to your symptoms.

If your previous employer is no longer in business, you can still claim against their old insurance company. We will go the extra mile to investigate and locate their insurers so that you can receive the compensation you deserve. Our team is here to support you throughout the process and fight for the compensation you are entitled to.

### Types of damages

Compensation may include damages for pain and suffering, loss of income, past and future care, travel expenses, medical treatment, loss of services, loss of pension income, and other expenses. A claim often helps alleviate the financial burden on families who may face significant challenges due to the impact of silicosis on the affected individual’s ability to work and provide for their loved ones. Additionally, for those at risk of developing more serious conditions in the future, provisional damages may be requested to allow for further damages to be sought down the line.

The government has named silicosis and pneumoconiosis as “prescribed diseases” meaning you can claim state benefits if you are diagnosed. We can provide advice on where to get help with state benefits so you can obtain financial support while we investigate your claim.



## Alan's case: sandblaster with acute silicosis

As a sandblaster since the early 1990s, Alan's job was to use high pressure blasting equipment inside a blasting shed to sandblast a variety of objects and remove paint, rust and dirt.

Alan, who lived in Hounslow, spent many years working at film studios where he sandblasted items which were used on film sets. Films he worked on included Sleepy Hollow, Tomb Raider and Harry Potter.

In 2016, Alan developed a cough, then shortness of breath and within two years his condition had deteriorated so much that he had to stop working. Biopsies revealed that he had an unusual and complex form of rapidly progressing silicosis and mixed dust pneumoconiosis.

Alan instructed Leigh Day in March 2019. Even though it appeared that he was past the three-year time limit for bringing a personal injury claim, Leigh Day's investigations confirmed that there were errors in his medical records and that he was still within the time limits to pursue a claim.

Alan recalled that when he started working for De-Corrosion Services Limited in 2010, he was provided with a different type of sand than he had used before, which was finer and created more dust when he was working. He stated that in 2016 he was instructed to re-use the sand, which also increased the amounts of dust he was exposed to. This was strongly denied by the defendant during the legal claim.

The defendant admitted liability for Alan's claim and a six-figure settlement was agreed in August 2020. The settlement included a significant sum to allow him to pay for private carers.

Alan died aged 63. The compensation was therefore paid to his family.

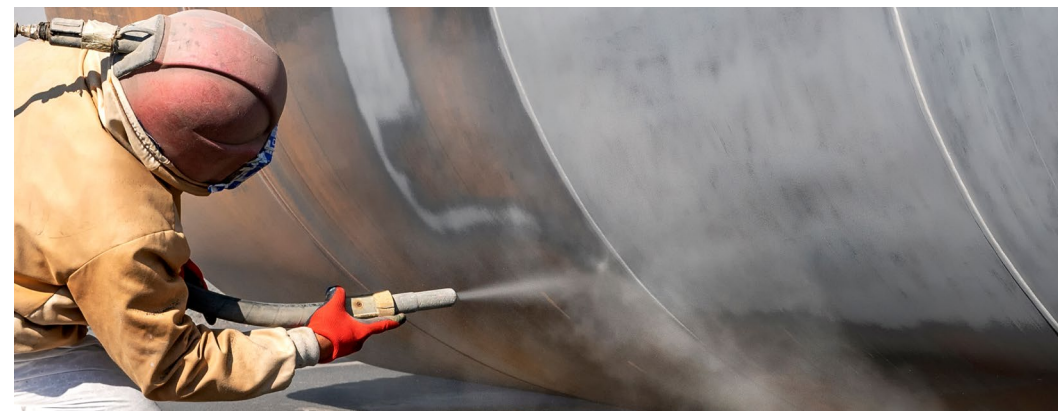
## John's case: mine and construction worker with chronic silicosis

Leigh Day represented John who developed respiratory and rheumatology symptoms due to dust exposure in the construction trade from the 1960s to 2018.

The claim was pursued against three Defendants, who disputed liability throughout. In addition to the silicosis, John was unusually diagnosed with Caplan's Syndrome, resulting in rheumatoid arthritis including swollen joints in his hands which prevented him from working. We used expert evidence from respiratory and rheumatology experts.

The claim settled just three weeks before trial on a provisional basis, which secured John's ability to return to court to request further damages if he suffers progression of his silicosis or develops more serious conditions in the future.

The name of the client has been changed to protect his privacy.







Terence Frith

## Terence's case: former miner working with pneumoconiosis

We acted for Terence Frith, a former mine worker, who suffered pneumoconiosis as a result of significant exposure to respirable silica dust.

Mr Frith was negligently exposed to high quantities of dust working in mining and tunnelling, and safety provisions were practically non-existent, a situation which was typical of the mining industry despite the widespread knowledge of the dangers of silicosis at the time.

When describing how he drilled blast holes into the rock floor using a handheld drilling machine, Mr Frith said, "I could not see the next person standing close by or my hands in front of my face because of the amount of dust in the atmosphere. Somebody might be arms' length away from me, but I couldn't see him because of the amount of dust. The only thing I could make out was the beam of light from his helmet."

Our industrial disease claim team went to court and won his case recovering a substantial sum for Mr Frith's pain and suffering and consequential losses.

As well as cases where silica dust exposure has happened in Britain, Leigh Day has also brought silicosis claims for foreign nationals injured by multinational corporations.



## Steven's case: machinist with hard metal lung disease

We represented a machinist, Steven, who was diagnosed with hard metal lung disease.

Hard metal lung disease is a rare disease caused by exposure to particles of hard metal alloys. Steven had worked for his employer as a machinist for over 25 years. His employer is a small business which specialises in producing turbo chargers for high performance rally cars.

While machining components for the turbo chargers, Steven used tools made from hard metal alloys, including tungsten carbide and cobalt.

He recalled that his work exposed him to dust particles and that for the majority of his employment, he had not been provided with a mask.

Steven instructed Leigh Day, who issued a claim in the High Court against his current employer. The Defendant denied negligence.

The court granted permission for our client to rely on reports from four different experts: Respiratory Medicine, Pathology, Occupational Health and Nursing Care.

The medical evidence confirmed that Steven's medical condition was likely to impact on his ability to work in the future, and the claim included damages for loss of future income.

Steven's case settled in November 2023 with a six-figure payment paid to him.

The name of the client has been changed to protect his privacy.

## Ongoing cases for stone masons

Leigh Day are currently instructed in multiple claims for stone masons who have developed acute silicosis as a result of cutting kitchen worktops made from artificial stone, also referred to as quartz.

In recent years, it has become popular for kitchen worktops to be made from artificial stone. Artificial stone is manufactured by compressing and compacting raw materials together into slabs, which are then heated to set and harden into slabs. Due to this manufacturing process, when artificial stone is cut, it releases much higher levels of airborne silica dust compared to natural stone products.

These cases often involve young people, whose health has been seriously impacted as a result of their work with artificial stone.

### Other conditions

Industrial diseases take many forms and can appear as lung disease, cancer, skin conditions and other diseases. Many industrial diseases are initially misdiagnosed, often because they are rare conditions.

In each case, it is necessary to prove a link to the substance which caused the condition in order to bring a claim for compensation.

In addition to silicosis, compensation may be able to be claimed for the following industrial diseases:

- Asbestos related illnesses
- Nasal cancer from exposure to wood dust
- Hard Metal Lung Disease
- Chronic Beryllium Disease
- Bladder cancer from exposure to dyes

**“Leigh Day is the market leader that all other personal injury firms specialising in industrial disease look at with envy.”**

Legal 500, 2021



## Meet the team

For a free, no-obligation conversation about your situation, please contact:



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