

PRESS RELEASE

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Asbestos victims welcome Companies House change of heart on destroying records

Groups representing sufferers of asbestos related diseases have welcomed reassurances given on behalf of the Government that proposals to destroy records of dissolved companies have been abandoned.

The Guardian reported in August that Companies House was planning to destroy the records of companies that had been dissolved for longer than 6 years, overturning their current policy of retaining records for at least 20 years.

If these proposals had been implemented they would have proved disastrous for people with the incurable asbestos related cancer mesothelioma seeking to secure compensation for their negligent workplace exposure to asbestos.

Asbestos diseases take decades to develop¹, sometimes as long as 60 years following exposure to asbestos.

Because of this long latency period the negligent employer has usually gone out of business by the time the disease develops.

Access to Companies House records on dissolved companies is crucial for victims trying to secure justice, enabling them to identify the correct trading name of their former employer and the insurance company liable to pay compensation.

Thousands of people could have been denied access to justice if these records had been destroyed.

Responding to Parliamentary questions², Margot James MP, Parliamentary Under-Secretary (Department for Business, Energy and Industrial Strategy), confirmed that not only would there be no reduction in the length of time Companies House retained these records but that there would now be no destruction of any records currently held on dissolved companies until and unless there is an agreed change of policy.

She also confirmed there would be no change in this policy without a full public consultation³.

Welcoming this change of heart, Graham Dring, Chair of the Asbestos Victims Support Groups' Forum UK said:

“This decision is good news for victims of mesothelioma and other long-tail industrial diseases who already face an uphill struggle securing justice in the courts. If these proposals had gone ahead it would have denied access to justice to many asbestos victims unable to pursue a negligent employer or their insurer.

“It is also reassuring to hear the Minister confirm that no records will now be destroyed as even the 20 year retention period is inadequate in protecting the interests of terminally ill asbestos victims who may have been exposed to asbestos 40 or 50 years before. There is no way of predicting which records may be needed in the

¹ Average latency period for mesothelioma is 34 years.

² Martin Docherty-Hughes MP, West Dunbartonshire, 14 November 2016

³ Ministerial reply to Martin Docherty-Hughes MP, 17 November 2016

Asbestos Victims Support Groups' Forum UK

Asbestos Action Tayside; Asbestos Support West Midlands; Cheshire Asbestos Victims Support Group; Clydebank Asbestos Group; Derbyshire Asbestos Support Team; Greater Manchester Asbestos Victims Support Group; Hampshire Asbestos Support & Awareness Group; Merseyside Asbestos Victims Support Group; South Yorkshire Asbestos Victims Support Group

future. Storage should not be an issue with the technology available to us today and we expect Companies House to maintain its commitment to those suffering from mesothelioma now and the thousands more predicted in the future by retaining records of all dissolved companies.”

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