

**MEDIA RELEASE: June 14 2006**

## **VICTORIAN ASBESTOS FAMILIES WIN AS COMPENSATION LIMITS SCRAPPED**

The widow of a Ballarat commercial real estate agent who died early this year from the asbestos-related cancer mesothelioma has welcomed State Government moves to exempt asbestos victims from caps on compensation.

Author Julie Stafford was surprised last year to learn that the Bracks government had capped compensation for economic loss for non-work-related asbestos injuries.

Her husband Bruce sued James Hardie and Wunderlich over his asbestos exposure, but, under Victorian law, he was entitled to only a fraction of his entitlements for future earnings because of a limit introduced by the Bracks government.

In Bruce's case, his lawyer, Suzanne Sandford from Slater & Gordon, got around this limit by changing the original claim under Victorian law to a claim of misleading conduct under the federal Trade Practices Act – a tactic now blocked by the federal government.

Even before Bruce Stafford settled his claim, he and Julie had begun their campaign to end this injustice. They instructed Slater & Gordon to write to Premier Steve Bracks and outline the effect this law had on families stricken by asbestos – who were doubly punished by being unable to claim the full amount of lost wages, to the benefit of the company responsible for the asbestos exposure.

They urged the Bracks government to follow NSW by exempting all asbestos victims, not just those injured at work, from recent law reforms on injury compensation.

Bruce and Julie Stafford's pleas have been heard by the Bracks government: asbestos claims made from May 9 2006 will now be exempt from all provisions of Part VB of the Wrongs Act 1958 (Vic).

Victims of dust- and tobacco-related diseases will no longer face a cap on the amount of damages recoverable for future or past economic loss. Nor will they be limited in claims for non-economic loss or general damages.

Mrs Stafford says the previous situation was very unfair. "I'm glad that Attorney-General Rob Hulls has recognised the particular hardships faced by those who contract these diseases – and I thank Slater & Gordon for their assistance with lobbying for this change."

Lawyer Suzanne Sandford from Slater & Gordon has also welcomed the changes. "This is a significant outcome for those who lost their rights under tort law reform provoked by the so-called insurance crisis," she said.

"We hope the government will now look at other deserving groups – children, the elderly, and the unemployed – who are turned away each day by the legal system because broken bones or the scars of a dog attack don't meet current thresholds for legal claims against insurers."

**Julie Stafford is the best selling author of the Taste of Life cookbooks, that have sold over 2 million copies in Australia, New Zealand, USA and the UK. Through the 12 Taste of Life cookbooks she has changed the dietary habits of millions of people.**