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JAEC/RB

JLC/MAJ

4th December 1957.

Dear Mr. Alderson,

The Shipbuilding Regulations

I have now been able to consider the Schedule of asbestosis cases from 1950 to 1957 which you sent to me recently, and the other Schedule in respect of cases prior to 1950 which Mr. Clogg sent to me. The information contained in the Schedules is very helpful and in certain respects it is quite illuminating.

Preliminary Comments

Dealing first with the main Schedule, i.e. the cases from 1950 to 1957, the case of Meanan should be excluded as he was never certified by the Medical Board and we did not admit that he had asbestosis; the claim by his widow was settled out of Court for tactical reasons.

Consequently, in this Schedule there are fifteen cases to be considered, but it is convenient to add to this Schedule the three cases (included in the older Schedule) of men who were certified in 1949 and 1950, namely, Griffiths, Beatty and Smythe. We have therefore eighteen cases to consider, the dates of certification ranging from 1949 to 1957.

For statistical purposes, I am at the moment entirely excluding the five cases shown on the first page of the Schedule of old cases, as they require to be considered separately for reasons mentioned below. The case of W. J. Clarke shown on the second page should be ignored, as he was not certified by the Medical Board.

Cases from 1949 to 1957

We have eighteen cases to consider, and I see that fourteen of them were boiler coverers and four were Spray operators. I enclose a statistical statement analysing these eighteen cases. I have prepared this so that in due course we can all consider what arguments we can put forward to show that the risk of asbestosis in shipyards (or indeed anywhere else) is not an increasing risk, either among boiler coverers or Spray operators. It would be helpful if you could have

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G. Alderson, Esq.

4th December 1957.

this Statement checked at Washington prior to my visit later in the month. It could also be amplified if it is felt that any further available statistical information would be of assistance, in support of our arguments.

I feel that if we can, so far as possible, ascertain and agree the relevant facts prior to my visit, we can then deal more efficiently with the important questions of the arguments available to us, the tactical aspect generally, and so on.

Cases prior to 1949

We have to consider the five cases appearing on the Schedule of old cases, namely, Coggan, Presland and Stephenson. Two of them were mainly engaged in mixing asbestos composition, and the third (Stephenson) was engaged on normal insulation work and occasional mattress making. He was primarily engaged on marine work, but Coggan and Presland, in Manchester and London, were I think engaged on land work only.

These are three very old cases as the men were first employed in the Industry in 1922, 1919 and 1909, and each of them therefore was employed for a substantial period before the Asbestos Regulations came into operation in 1932. Their service in fact ceased in 1932 and 1933. As they were certified so long ago, I propose to ignore them altogether, as our main argument is that the risk of asbestosis is not increasing.

The other two cases, the Watkins father and son, are rather different, and I propose similarly to ignore them.

Watkins senior, engaged apparently on land work only, was employed in the Industry for twenty five years from 1925 to 1946. He was not certified in his lifetime, but the Medical Board, after his death, certified that it was due to asbestosis and tuberculosis. He was employed in the Industry for seven years before the coming into effect of the Asbestos Regulations, i.e. before any statutory precautions existed.

The case of Watkins junior was most unusual and unfortunate. He was only employed by N.I.Co.Ltd. as an apprentice for two years (from 1942 to 1944) between the ages of 14 and 16, and his work was opening fibre bags and mixing plastic. He died two years later, in 1946, and the Post Mortem stated that the death was due to pulmonary tuberculosis and to asbestosis, which was mentioned as being "early and difficult to find", but the Medical Board later granted a Certificate that the death was caused by asbestosis accompanied by tuberculosis. Owing to the very short period of exposure to any risk, we were at the time very doubtful whether asbestosis was in fact one of the causes of death.

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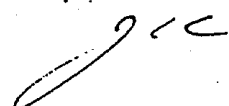
4th December 1957.

In any event, these two employees were not engaged on marine work at all, and for our present purpose I propose to ignore them.

Possible Cases

As shown in the Schedule, claims have recently been made by four employees, namely, Sergeant, McCutcheon, Evans and Gallagher. I should be glad if I could be given some particulars about these four employees, i.e. their age, length of service and so on, and the type of work on which they have been employed.

Yours faithfully,



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