

# Individuals with diffuse mesothelioma living in England and Wales with Employers' Liability cases registered with the Compensation Recovery Unit

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# Introduction

1. This publication will present information on individuals with diffuse mesothelioma living in England and Wales with Employers' Liability civil cases registered with the Compensation Recovery Unit between 2007 and 2012.
2. This publication makes available figures to the public in support of the Ministry of Justice consultation paper entitled 'Reforming mesothelioma claims' to be published w/c 22 July 2013. This paper presents for consultation a package of reforms to the procedures governing mesothelioma claims. It meets the Government's commitment to consult on the proposals announced in a Written Ministerial Statement on 18 December 2012.

## Queries about the content of this document

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## Background

3. The Compensation Recovery Unit (CRU)<sup>1</sup> works with insurance companies, solicitors and personal injury claimants to recover:
  - amounts of social security benefits and lump sums paid as a result of an accident, injury or disease, where a compensation payment has been made. This is known as the Compensation Recovery Scheme.
  - costs incurred by NHS hospitals and Ambulance Trusts for treatment from injuries from road traffic accidents and personal injury claims. This is known as Recovery of NHS Charges.

## Methodology

4. The CRU data set contains those cases that had a final settlement recorded between 01 January 2007 and 31 December 2012.
5. The CRU are dependant upon information supplied by third parties, therefore any claims where the Compensator, Compensator's Representative or Policy Holder details are incomplete have been categorised based on whatever ownership data is available for those claims.
6. Analysis has been conducted on the individual level rather than the claim level. The following rules were used to determine the settlement type for each individual based on all the claims registered for each individual.
  - i. The settlement type has been recorded as 'settled' if the individual has at least one registered case with a successful outcome.
  - ii. The settlement type has been recorded as 'live' if an individual has had no registered cases with a successful outcome and at least one case that are still recorded as 'live'.
  - iii. The settlement type has been recorded as 'withdrawn' if an individual has had no registered cases with a successful outcome and no cases that are still recorded as 'live'.
7. The analysis has been restricted to Employers' Liability cases only.

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<sup>1</sup> <http://www.dwp.gov.uk/other-specialists/compensation-recovery-unit/>

# Results

**Table 1: Annual volumes of individuals with Employers' Liability cases registered with the Compensation Recovery Unit (CRU) by country of residence and settlement type based on data available from 1 January 2007 to 31 December 2012**

Year	England and Wales				Other countries				All countries			
	Settled	Live	Withdrawn	Total	Settled	Live	Withdrawn	Total	Settled	Live	Withdrawn	Total
<b>2007</b>	1,180	40	150	1,360	160	10	20	190	1,330	50	170	1,550
<b>2008</b>	1,150	80	170	1,400	160	20	80	260	1,310	100	250	1,650
<b>2009</b>	1,050	160	120	1,330	130	40	20	190	1,190	200	140	1,520
<b>2010</b>	960	300	80	1,340	90	60	20	170	1,050	360	100	1,510
<b>2011</b>	720	610	60	1,390	70	110	10	180	790	720	60	1,570
<b>2012</b>	200	1,150	20	1,380	20	120	-	140	220	1,270	30	1,520

## Notes:

1. Figures are rounded to the nearest ten. "-" denotes nil or negligible. Some additional disclosure control has been applied. Totals may not sum due to rounding method used.
2. Country of residence is based on the home address of the individual. The group of other countries include Scotland, Northern Ireland, The Republic of Ireland, the Channel Islands, the Isle of Man and Not Known.
3. The year is the calendar year in which an individual's first case was registered with CRU.
4. The outcomes of cases are based on the latest available data. For example, of the 1,400 individuals with cases first registered in 2008, 1,150 individuals have at least one 'settled' case and 80 individuals still have a 'live' case pending. The remaining 170 have had no successful outcomes and no live cases pending.
5. Figures include only Employers' Liability cases.

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