

fieldfisher

GOVERNMENT LUMP SUM PAYMENTS FOR MESOTHELIOMA

Caring for our clients | Commitment to our cases | Cutting edge expertise



All victims of mesothelioma are entitled to a prompt lump sum payment from the Department for Work and Pensions (DWP) provided they have not already received compensation in a civil claim.

The DWP pays these lump sums to sufferers under two schemes:

- The Pneumoconiosis etc (Workers' Compensation) Act 1979 (the 1979 Act)
- The 2008 Diffuse Mesothelioma Scheme (the 2008 Scheme)

For any person diagnosed with mesothelioma on or after 1 April 2010, payments under both schemes will be the same. This is because payments under the 2008 scheme have been increased up to the levels under the 1979 Act.

Since payments under the 2008 scheme are unconditional, it is the better scheme for mesothelioma sufferers and their families to use.

2008 Diffuse Mesothelioma Scheme

This scheme is designed to provide prompt payment of a lump sum to all sufferers from diffuse mesothelioma, provided compensation has not been received in a civil claim. Its wide scope contrasts with that of the 1979 Act under which only victims exposed to asbestos as an employee are eligible for a payment, and, even then, only if certain conditions are fulfilled.

Mr and Mrs Mason

Qualifying Criteria

The qualifying criteria for the 2008 Diffuse Mesothelioma Scheme are:

- There must be evidence to show that the victim suffers from diffuse mesothelioma
- The mesothelioma sufferer must have been exposed to asbestos in the UK
- The claim must have been made within one year of diagnosis or, in the case of a claim being made by a dependant, within one year of the date of death.



Application after death

Partners and dependants can make the claim. The payments awarded are lower if an application is made after death. Therefore it is usually advisable to apply whilst the sufferer is alive because, even if the DWP only processes the application after death, payment is made at the higher “living basis” rate.

How to apply

The application form is the “Mesothelioma and other lung diseases” form PWC1. Claimants must provide evidence of diffuse mesothelioma. Normally a letter from a doctor or cancer nurse is appropriate. Copies of hospital letters, X-ray or scan reports, or biopsy results may also suffice. In a fatal case, a post mortem report or an interim or final death certificate is suitable.

Once the form has been completed, it should be sent with the above medical evidence to:

Barnsley Industrial Injuries Disablement Benefit
Office
Mail Handling Site A
Wolverhampton
WV98 1SY

Consequences

If, later, a civil claim for compensation is successful, there is no direct repayment of the lump sum to the DWP. Instead the defendant will deduct the sum received from the settlement before it is paid. Before applying under the scheme those receiving means tested benefits should seek advice on the circumstances in which an award might lead their widow or them to lose such benefits.

“Fast tracking” of applications

The DWP aims to deal with applications in mesothelioma cases promptly. Payments are often received within a month of the application.

Fieldfisher Industrial Disease team



Lump sum payment rates for mesothelioma

Rates from 1st April 2025

Age of the person with diffuse mesothelioma	Living Claim Payment (£)	Posthumous Claim Payment (£)	Age of the person with diffuse mesothelioma	Living Claim Payment (£)	Posthumous Claim Payment (£)
37 and under	116,152	60,446	58	66,305	30,509
38	113,893	59,148	59	60,438	27,063
39	111,640	57,851	60	54,582	23,628
40	109,386	56,554	61	48,716	20,187
41	107,128	55,258	62	42,853	16,743
42	104,873	53,962	63	39,244	15,760
43	103,749	52,720	64	35,631	14,785
44	102,614	51,468	65	32,028	13,784
45	101,490	50,236	66	28,418	12,800
46	100,362	48,996	67	24,810	10,007
47	99,234	47,758	68	24,074	10,007
48	96,082	46,237	69	23,337	10,007
49	92,926	44,710	70	22,612	10,007
50	89,762	43,190	71	21,879	10,007
51	86,610	41,673	72	21,149	10,007
52	83,443	40,150	73	20,524	10,007
53	81,190	38,903	74	19,888	10,007
54	78,939	37,668	75	19,279	10,007
55	76,688	36,427	76	18,668	10,007
56	74,421	35,178	77 and over	18,047	10,007
57	72,166	33,941			

'Their client service is of a very high standard, and they always answer my questions in a detailed manner so I can gain a good understanding of the complications connected in my case. Every email and phone call is dealt with promptly and accurately.'

Chambers & Partners

'Acted with kindness, professionalism and courtesy. All emails/phone calls/communications were dealt with swiftly and in full. Any questions/concerns/worries I may have had during this process were dealt with total understanding and compassion.'

Legal 500



Meet the Team

Peter Williams

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Peter is head of the group. He has specialised in asbestos-related disease claims for over 30 years and he gives annual talks to solicitors on the issues. In legal directories, Peter is described as:

'Peter Williams is a ruthless analyst of the other side's weaknesses and has very high client-care skills' and is seen by market sources as "a true expert" with "very detailed knowledge.'

Bridget Collier

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Bridget heads up our mesothelioma and asbestos claims practice in the North of England. Bridget has over 20 years' experience in conducting asbestos, industrial disease and employer liability claims. She sat on the Executive Committee of APIL and the Oversight Committee of the DMPS. Bridget is an APIL accredited specialist asbestos claims solicitor.

Shaheen Mosquera

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Shaheen is a Partner in our asbestos disease team. She has been representing victims of asbestos and in particular those diagnosed with mesothelioma for many years. She is an APIL accredited Senior Litigator and Specialist in Occupational and Asbestos Disease claims. She has recovered millions of pounds in damages for those diagnosed with mesothelioma and other asbestos related diseases.

Leah O'Brart

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Leah O'Brart is an Associate in the Industrial disease team. She joined Fieldfisher in 2025.

Andrew Morgan

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Andrew has specialised in asbestos disease claims since 1993. He is a past coordinator of the Occupational Health Group of the Association of Personal Injury Lawyers (APIL) and is an APIL Fellow. In legal directories, Andrew is described as:

Andrew has “a strong reputation for his expertise in handling industrial disease work, particularly mesothelioma cases” and sources describe him as “true specialist” and “a very talented lawyer”.

Natalie Amara

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Natalie joined Fieldfisher's asbestos disease team in 2022. She places great emphasis on client care, ensuring she keeps clients and their loved ones as informed and involved as possible in all stages of their case.

Dushal Mehta

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Dushal is a Partner at Fieldfisher and specialises in acting for clients with mesothelioma and other asbestos related diseases. He is recognised in all the leading legal directories for his expertise.

‘Dushal is described by sources as “extremely hard-working and willing to take on difficult cases”

Abby Bennett

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Abby Bennett joined Fieldfisher's asbestos disease team in 2023. She has experience in personal injury claims, with a particular interest in asbestos related disease claims.

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