

Silicosis Claim Overview

We often see people who may have been paid cash in hand, or who are non residents when working in a dusty industry. Anyone suffering from silicosis may be entitled to bring a claim. We offer up front advice on how best to bring your claim in each individual situation.

Our aim is to make the process as stress free as possible and to provide a clear way forward.

GET EXPERIENCE ON YOUR SIDE

Slater and Gordon is Australia's leading dust disease litigation firm. Our specialised team has over 35 years experience in asbestos and silica litigation, providing you with an expert, personalised service to help achieve the best result. We have acted for thousands of people suffering from asbestos and silica related diseases.

Our lawyers are local and have access to the resources of our national firm.

- + We'll come to you, to hear your story and together agree the best way forward, for you.
- + We offer home or hospital visits and flexible appointment times in many cases.
- + Our dedicated lawyers will also travel to regional areas and interstate.‡

WHAT CAN I EXPECT

If you've been exposed to silica dust and you suffer from a silica related disease, you may be able to bring a claim.

We understand that your case is unique. However, please see the below in relation to an outline of the general process, the work we can do for you and the potential likely fees.

WORKERS' COMPENSATION & THE SUPREME COURT OF VICTORIA

If you were a **worker**, which can include some self-employed people, and exposed to silica dust during your work in Victoria, you may be able to make a claim through **WorkCover**. WorkCover provides weekly payments, medical expenses, lump sum payments (if appropriate), and ongoing support. Additionally, you may be able to bring a claim for lump sum compensation in the **Supreme Court of Victoria** and we will assist you through both avenues.

If you are not covered by **WorkCover** or exposed in a non-occupational way such as a home renovation or washing work clothes, your claim may be resolved by way of legal proceedings. The **Supreme Court of Victoria** has a specialised list called the Dust Diseases List, which deals with these claims. If you are successful, you may be eligible for lump sum compensation.

If you have been diagnosed with silicosis, compensation may include amounts for:

- + Pain and suffering and loss of enjoyment of life
- + Medical and like expenses
- + Loss of income
- + Lump sum payments for a permanent impairment
- + Out of pocket expenses, such as travel to medical appointments

Dependants of a deceased worker also may be entitled to claim compensation. Compensation may include a lump sum benefit in excess of \$550,000 (indexed annually) as well as counselling costs, support for children and a payment for funeral expenses.

POTENTIAL ADDITIONAL BENEFITS

In addition to compensation from **WorkCover** or court proceedings in the **Supreme Court of Victoria**, if you are no longer performing your normal work duties as a result of your injury, you may be entitled to a disability benefit through your superannuation fund. We can conduct an obligation free assessment to find out if you may be entitled to a payment.

PROCESS OVERVIEW

Every case is different, but there are a number of steps you may go through during your case. Our knowledgeable and caring team of lawyers will guide you through all of these stages to help ensure you get the best possible outcome.

01

Get in touch

We'll obtain some basic information from you concerning your health and make an appointment for you to meet with our team.

02

Attend your free initial appointment**

This gives you the opportunity to find out if you may have a claim and discuss your options so you can make the best decision for you.

03

We'll obtain medical evidence

We'll obtain all medical material needed to support your claim.

04

Your case will likely settle without a court hearing

All cases are the subject of compulsory negotiations, and the vast majority resolve at this time.

If a settlement is reached, we have a dedicated staff member whose job it is to finalise everything and get any money to you as quickly as possible.

05

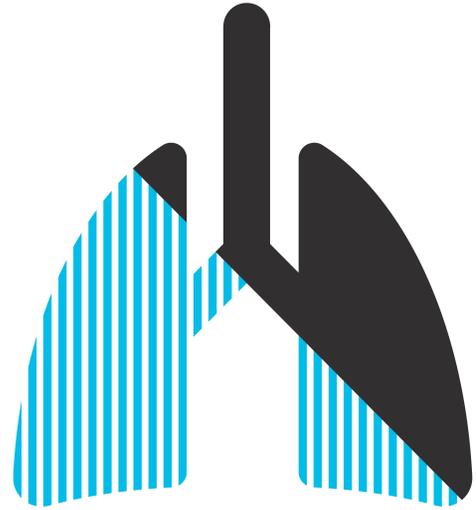
Court proceedings

Most cases do not reach this point. If yours does, we'll guide you every step of the way to help you get compensation.

HOW LONG WILL IT TAKE?

Depending on the severity of your condition, silicosis claims can take some time to resolve, particularly if your condition is yet to stabilise. However, if need be, the claim may be resolved within weeks or days for urgent claims. This is to help ensure you are able to receive your compensation within your lifetime.

**TYPICALLY 99%
OF CASES ARE
RESOLVED OUT OF
COURT**



Helping to look after you and your family

Silicosis claims can be complex. We'll guide you through the process and work with you to help get a resolution as quickly as possible so you and your family can concentrate on your health.

We recognise that our clients and their families can experience many emotional challenges during their case.

Our Social Work Services were established in 2009 to provide short term help with the psychosocial issues our client or their family may face during a legal case.

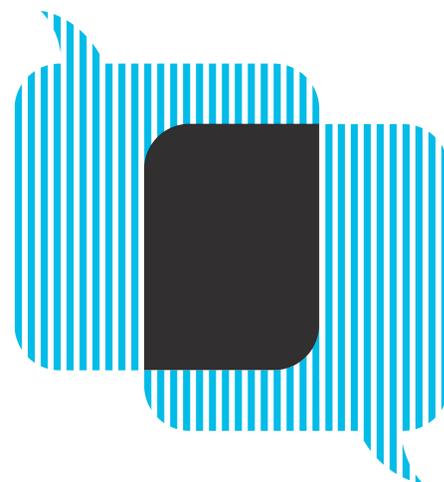
Our fully qualified team has extensive social work knowledge, skills, and experience gained in working in health services and community sectors.

Our social workers assistance[^] is provided as a complement to our legal services - at no additional cost to Slater and Gordon clients.

Q. Do I have to pay anything up front?

Our No Win, No Fee* policy means if we take on your case we'll cover everything, all our time and expenses, specialists reports etc, and we will only bill upon the successful settlement of your claim. When we do, it'll be on the fixed fee basis you agreed to and are expecting, so there are no surprises.

If you are unsuccessful you may still be liable to pay third party costs and disbursements. Our No Win, No Fee* arrangement is not available for every matter, eligibility is required.



Q. Do you take a percentage of my settlement?

No, our fees are fixed so you will know the likely fees payable to us for our work on your case at your first appointment if your case is successful.

COSTS

NO WIN, NO FEE*

We won't charge you until the claim is resolved. And we'll only charge for our work completed if you are successful in the claim so it's in our best interests if you win. We'll further explain our No Win, No Fee* policy and conditions that apply in our free initial appointment** with you.

OUT OF POCKET COSTS

Disbursements (the legal jargon for expenses) are for those documents or services we need to buy to properly investigate and process your claim to give you the best chance of success. These can include:

- + **Clinical notes and reports from your doctors and other health providers, independent medical examinations and reports**
- + **Other reports, such as accountant and vocational assessments**
- + **Investigator services, expert witnesses and other services**
- + **Internal Special counsel, Barristers and Court fees**

We will not require you to make payment of or contribution towards any of the disbursements incurred on your behalf. You will only be required to repay the disbursement from your settlement if your claim is successful.

RECOVERABLES

Legal costs are made up of two things:

- + **Slater and Gordon's fees – typically you'll only pay these if you're successful.**
- + **Out of pocket expenses (as outlined above).**

If you win, the other party will most likely need to pay part of your legal costs. If this is the case, we will provide you with estimates for what the other party will likely need to contribute.

FOR FURTHER INFORMATION

The Cancer Council Australia: www.cancer.org.au

As Australia's peak national non-government cancer control organisation, Cancer Council Australia advises the Australian Government and other bodies on practices and policies to help prevent, detect and treat cancer.

SOME QUESTIONS TO ASK

- Q. What can I expect if Slater and Gordon handle my silicosis claim?**
- Q. What are the likely and possible outcomes?**
- Q. Can you give me a ballpark of my total bill?**
- Q. Is there a cooling off period?**
- Q. When will you bill me and how long will I have to pay?**
- Q. How long is the case likely to take?**
- Q. Will you be the lawyer looking after my claim?**

Questions?





**Slater
Gordon**
Lawyers

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slatergordon.com.au

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*Conditions apply - No win, no fee, this means if you are not successful, you will not be liable to pay our professional fees. You may still be liable for third party costs and disbursements.

**Conditions apply - Free initial appointment, this means we generally offer a free initial appointment for all of our personal injury services.

If an initial appointment fee is applicable to your case, you'll be told upfront prior to booking an appointment.

#Conditions apply - Travel to regional areas and interstate may vary subject to Slater and Gordon's discretion.

^Conditions apply - Free social work services T&C's: www.slatergordon.com.au/the-firm/our-commitment-to-you/social-work-services