



DEPARTMENT OF THE ENVIRONMENT
2 MARSHAM STREET LONDON SW1P 3EB
01-212 3434

My ref:

Your ref:

23 December 1983

Lewis

Dear Brian,

I undertook to write to you in response to the points you raised on compensation payments in a question following John Cunningham's Private Notice Question on 21 November. In fact the information, which relates primarily to employees has been obtained from the Department of Energy, and I am copying this letter to Giles Shaw.

Nine claims (2 leukaemias, 7 other cancers) have been made by the workforce at Sellafield since BNFL took over management responsibilities in 1971. No claims have been made to BNFL by members of the public. In no case has liability been admitted. Compensation has been paid in out of court settlements in respect of six of the nine cases mentioned above. Prior to 1971, when BNFL was set up, UKAEA settled one claim in respect of death from cancer on the same basis. One employee and two members of the public have made claims to UKAEA that they contracted cancers as a result of the Windscale fire in 1957.

According to studies by BNFL, there is not a detectably greater incidence of cancers in workers at Sellafield than in the general population. However, as good employers, BNFL consider that they cannot ignore the possibility of small numbers of cases where an individual's employment with the company may have been a factor in his contracting a cancer. Because it is not possible to distinguish between a cancer which may have been induced by occupational exposure and one arising from natural causes, each individual case is a matter for expert opinion based on the balance of probability. This involves, among other things, taking account of the person's working environment, length of service and age.

BNFL's attitude has been that it is much fairer, in view of the small number of claims, to make a payment, in appropriate cases, which recognises the possibility of a cancer being linked to radiation and enables the claimant to receive some compensation, even though he might not have been able to prove his case in court. In November 1982 BNFL and its unions concluded a Compensation Agreement which provides a procedure for determining whether or not compensation should be paid to the dependants of radiation workers (employees or past employees) who die from cancer which may be linked with a radiation dose received as a result of working for the company or its predecessors. The new procedure enables settlements to be reached relatively quickly where there is a sufficient likelihood that death might be attributed to occupational factors. The company expects these compensation cases to be few in number.

Brian Sedgwick MP

William Walsgrave

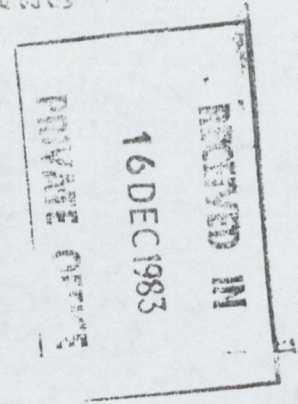
From Brian Sedgemore MP

Advice please

Mr. Lewis



HOUSE OF COMMONS
LONDON SW1A 0AA



14th December 1983

Dear William

WINDSCALE - CLAIM FOR COMPENSATION

When you made your statement on 21st November about Sellafield you promised you would write to me about the number of claims made by local people on the workforce against the authorities in respect of alleged diseases caused by the activities of the various operators.

I would be grateful if this could now be supplied, giving the number of claims (whether made personally, in writing or through the courts), when these were made and to which diseases they relate. I'd also be grateful if you could let me know what the response was of the various operators in each case.

Handwritten initials/signature

The Hon William Waldegrave MP
Parliamentary Under-Secretary of State
Department of the Environment
2 Marsham Street
London SW1P 3EB

