



Remembering June Hancock

by Laurie Kazan-Allen

Twelve years after losing her mother Maie to mesothelioma, June Hancock came face to face with the nightmare once more; after months of lingering illness which would not surrender to diagnosis, a doctor in Killingbeck Hospital confirmed June's worst fears: her difficulty in breathing, her lethargy, and the collapsed lung were neither flu nor tuberculosis: she too had contracted mesothelioma. June could not believe that lightning could strike twice; she said:

"The possibility of me getting this was something like a million to one – that there should be two in one family. It never for a moment occurred to me. I'd always followed stories in the papers about Armley and asbestos but I never thought it would touch my family again."

June knew how the disease would progress; she knew that everyday tasks would become increasingly arduous and current pleasures unobtainable. June's Yorkshire puddings, served as a first course Northern style, brought the entire family flocking to her dining room table for Sunday dinner: daughter Kimberley and Michael, son Russell and Joanne, son Tommy and Janet, Kelly and Gareth. Lack of breath would put an end to this happy ritual. Taking her beloved dogs Bruce and Sophie onto the Chevin, cheering Leeds United on - the illness would make both impossible. June had witnessed her mother's decline and knew what lay ahead: for herself, but worse for the family.

With her eyes wide open, June chose to fight back. Her opponent, J. W. Roberts Ltd. (JWR), had been operating from the Armley site since 1895. In 1920, it had become a subsidiary of Turner & Newall (T&N) Limited. The parent company handled "all questions of general policy or finance which affect either the group as a whole or any particular unit company." The relationship between head office and JWR was particularly close: JWR functioned "in effect as managers or agents for Turner & Newall Limited."

So, by suing JWR, June was in reality suing T&N. In 1995 T&N's 40,000 employees generated a £2 billion turnover at two hundred installations in twenty-four countries; the company wasn't about to give in easily. Undaunted, June instructed a solicitor shortly after she was diagnosed; a writ was issued on September 5, 1994. June wrote:

"Whether we win or lose the case is absolutely unimportant. I would like to win of course. But the money side is absolutely and totally irrelevant. It certainly won't do me any good... The fact we have got them to court is what matters. It's out in the open. They've got to stand there and be answerable for what they've done...I feel sure they'll be guilty some day. But if we do win, it will be easier for others."

It was a test case; never before had anyone succeeded in getting compensation for environmental asbestos exposure from an English company. Mesothelioma is always fatal; the Court recognized the need to expedite proceedings. June's case was combined with that of Evelyn Margereson, the widow of a mesothelioma victim who had, like June, lived near the Roberts' textile factory. For more than two years, John Pickering, Mrs. Margereson's solicitor, had been battling with the defendants over discovery. In the judgment handed down on October 27, 1995, the Honorable Mr. Justice Holland referred to the defendants' behaviour:

"I presently explain the discovery history as being of a piece with other features of the conduct of the defence - that is, as reflecting a wish to contest these claims by any means possible, legitimate or otherwise, so as to wear them down by attrition. Thus it has not just been with respect to discovery that the Defendants have remorselessly persisted in taking bad points, apparently simply to obstruct the Plaintiffs' road, heedless of the inevitably adverse effect upon the trial judge."

Holland's sixty-six page ruling focused on the duty of care the factory owners had to their neighbours and others who came within the environs of the industrial unit. In the 1930s and 1940s, children played outdoors; flat, open spaces were particularly attractive. The Aviary Road loading bay was ideal for roller skating, hopscotch and other games. One witness recalled:

"sometimes sacks were left out overnight. They were hessian sacks and they were full of a sort of fluffy dust. We could jump on the sacks when they were left out... I remember seeing grey blue coloured dust come out of them. If we jumped hard enough the sacks burst open. After sitting or bouncing on the sacks I remember being covered in dust."

It was raw asbestos fiber and waste which came bursting out of these sacks. Holland concluded that a duty of care had been owed to those like Arthur Margereson and June Gelder, as she was then, who had come:

"within the curtilage of the factory...there was knowledge, sufficient to found reasonable foresight on the part of the Defendants, that children were particularly vulnerable to personal injury arising out of inhalation of asbestos dust...reasonably practicable steps were not taken to reduce or prevent inhalation of emitted asbestos dust."

In his High Court judgment, Justice Holland paid a "warm tribute to her (June's) dignity and courage." Strange words from a judge but then he was only reacting as others had done: Vanessa Bridge from the Yorkshire Evening Post, Adrian Budgen, her solicitor, Robin Stewart QC and Andrew Spink, her barristers, M.P. John Battle and her consultant Dr. Martin Muers were all touched by June; all kept faith till the end and even after.

The relief of the lower court's verdict was short lived; an appeal was lodged. During the last week of March, 1996 Lord Justices Russell, Savile and Otton heard submissions in London. The appeal was dismissed on April 2, 1996; permission to appeal to the House of Lords was refused. And so it ended: June Hancock received £65,000, Evelyn Margereson £50,000. Not much for two lives. But what a stunning victory!! June and her legal team were jubilant; June's words were quoted nationally: "It proves however small you are you can fight and however big you can lose." After the verdict, other mesothelioma victims from Armley and Washington, the location of another T&N subsidiary, received out-of-court settlements. June was right; her fight had made it "easier for others."

June defied the doctors. In January, 1994 she had been given two years to live. Despite her illness, she attended Leeds High Court every day bar one of the six week trial. She endured the uncertainty of the appeal and the press attention after the London victory; "stubborn resistance" and her thirst for justice won her an extra eighteen months. In the end though, even she was unable to reverse the biological consequences of a childhood spent amidst clouds of asbestos dust. For three and a half years, the children managed to comply with her wish to keep everything "as normal as possible," but by June, 1997, the pain had become so bad that hospitalization was the only option.

The family arranged a visiting rota: Michael's shifts enabled him to cover some of the odd times. Difficulty in sleeping meant that June was awake much of the night. One night, Michael took her for a walk. How the two of them were not stopped remains a mystery -- June in dressing gown and slippers, attached to an oxygen cylinder behind the wheelchair gliding along the Leeds and Bradford Road at 3 o'clock in the morning. On Thursday July 17, 1997 June's condition took a turn for the worse; the family were called. They were there; they were all there. On Saturday afternoon, June sat up. Russell says: "I don't know what she wanted to do... maybe to speak to people. The drugs made her so tired. She wouldn't lay back down and she was very weak by then. I put my arms round her and said: look we're all here. She laid down and that was it. That she was last time she ever moved." She died that afternoon.

Remembering June, her daughter Kimberley wrote:

"My Mum was full of love and life. She was gentle, funny, selfless and hardworking. All my memories are special and happy, we were like best friends. She was simply beautiful and did not deserve to die so young. I lost my adored Mum and the world lost an angel on the 19th July 1997. Things could never be the same again."

Frank Gelder, June's father, lived until he was 86. Who can say whether June would have enjoyed the same longevity had it not been for Turner & Newall? Another 25 years of good times, family dinners and happy memories. A time during which June could have enjoyed the grandchildren she had so longed for, children she never got to hold or love: Andrew, Jonathon and Emily June; the joy of watching Kelly & Gareth, June's older grandchildren, grow into the wonderful young people they have become was also denied to her by this corporate murderer.

In a society grown cynical and suspicious, June's bravery shines ever brighter; her struggle for justice is not forgotten and our memories of this lovely Yorkshire "lass" remain undiminished.