



Lawyers plan class action against UK government on asthma caused by air pollution

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Lawyers are planning a class action against the UK government on behalf of people with asthma caused by air pollution.

The class action, which will be led by barrister Frances Lawson, is bringing a state liability claim against the government, arguing that people have had symptoms of asthma because of a failure to reduce air pollution levels, breaching an EU directive.

Lawson told *The BMJ* that the solicitor handling the case has “just been given the green light to proceed and has started to gather claimants.”

“We have tight criteria to maximise the chance of a successful action. Each person included will be examined to see if their asthma is linked to nitrogen dioxide,” she said, adding that it will take several months to examine claimants before the class action can start.

The criteria for claimants includes: living close to a busy road or area known to have high levels of nitrogen dioxide; having no personal history of allergy or family history of asthma; and

living in a non-smoking household with no exposure to a wood burning stove.

“The fact that the UK is in breach of the air quality directive is well established. We believe we can show that people in polluted areas like London are suffering from the symptoms of asthma in part because of excessive levels of nitrogen dioxide in the air they are forced to breathe,” Lawson told the *Guardian*.¹

The action is supported by a report written by Claire Holman, chair of the Institute of Air Quality Management, on the evidence that exposure to nitrogen dioxide, both in the short and long term, causes asthma as well as exacerbating symptoms in people with pre-existing asthma.

1 Laville S, Asthana A. Air pollution lawsuit set to go ahead despite delayed government plan. 2017. www.theguardian.com/environment/2017/may/04/government-faces-class-action-on-air-pollution-in-landmark-case.

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