

1 General Observations

The deleterious effects of noise have been slow to attract public interest and attention has been concentrated much more on environmental effects than the risks undergone by the worker [1]. There is mounting expectation that employment should not be detrimental to the workers' health. During the last two decades, the medical profession and others engaged in industry have become aware much more than before the 1960s of the dangers which exist to people working in noisy conditions whereby damage may be caused to their hearing.

Traditionally, industrial hearing loss was almost synonymous with "boilermakers' deafness". Later, it became associated with noisy textile industries. The highest number of people at risk today are actually in the engineering industry.

In one study (Chadwick, 1971), it was estimated that 25% of the population of Manchester was exposed to noise. Manchester is one of the noisiest cities in Britain with thousands of factories and workshops. There are heavy electrical and engineering industries. Peripherally, there are numerous Lancashire cotton towns still retaining traditional spinning and weaving mills. 8% of all clinic cases of deafness were of industrial origin. Incidentally, 16% of occupational hearing loss cases had unrelated ear disease.

During the course of employment, it may take up to 15 years for permanent damage to set in. Few cases present during the 15 years after leaving school. Most cases appear between 40 and 60. Individuals may be unaware of early damage and may experience disability only when presbycusis is added

later (Burns, 1968). The disability presents earlier than would be expected as a result of presbycusis alone (Hinchcliffe, 1959).

One can generalise that the persons likely to be involved in hearing loss cases are hardy and otherwise fit persons with strong mental constitution. They are men of "ordinary phlegm and fortitude", perhaps extraordinarily so, and not disposed to complaining.

Because of the length of the intervening period between early exposure and disability, workers suffering from noise-induced deafness may be left without redress from employers who have closed down their businesses in the intervening period. Social security legislation treats occupational diseases as if they were industrial injuries and this is often the only redress.

Like many other industrial hazards, the effect of noise is cumulative. However, damage is not progressive: once exposure to noise is stopped, hearing does not deteriorate from it. Counsel in *Robinson v British Rail Engineering Ltd*, 1982 Court of Appeal, pointed out the difference between deafness and an injury which causes pain — "nagging pain, day in and day out pain." It is very different from an injury which involves mutilation such as the loss of a limb. Counsel submitted that any award of damages must take account of the absence of pain, the absence of any kind of deformity or cosmetic embarrassment if it is to be a fair and just award. It is also difficult to compensate for wage loss. Wage loss is a cornerstone in Workmens' Compensation in many other countries. A man really suffers no wage loss, nor a potential wage loss if he can carry on ordinary communication.

[1] Mr Justice Mustill *Thompson v Smiths Shiprepairers* [1984].