

FOIL**Prepared by Kysen PR**

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Fraud report “one sided”?

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Claimant lawyers question exclusion from fraud taskforce

Claimant lawyers have queried why they were not invited to join the Insurance Fraud Taskforce, which published its interim report last week.

John Spencer, president of the Association of Personal Injury Lawyers (APIL) says the taskforce risked not being able to tackle insurance fraud because it was a “one-sided exercise”. The taskforce, led by former Law Commissioner David Hertzell, comprises insurance defendant lawyers and some consumer groups. APIL was invited to submit evidence. Spencer says the absence of claimant lawyers “denies the taskforce some useful insights, and activities that need to be tackled will be missed or underplayed”, for example, the role that pre-medical offers by insurers play in encouraging a “have-a-go culture”. More sharing of data between claimant and defendant lawyers could also help tackle fraud but “without APIL or MASS [the Motor Accidents Solicitors Society] that suggestion may not be made”.

The interim report suggests investigating how “claims farmers” who cold-call individuals and pressurise them into making a claim obtain individuals’ data —it believes some of the data is stolen.

Insurance lawyers welcomed the taskforce’s findings. Stratos Gatzouris, of the Forum of Insurance Lawyers (FOIL), says: “The level and cost of fraud in this country...suggests that there needs to be a change of culture amongst consumers who perceive insurance fraud to be a victimless crime.”

Interested parties should submit their responses to the interim report by 13 May, and the taskforce will make its final recommendations by the end of 2015.

HM Treasury was unable to respond at the time of going to press.

<http://www.newlawjournal.co.uk/nlj/content/fraud-report-one-sided>