

**FOIL****Prepared by Kysen PR**

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## SRA finds issues with NIHL claims and quality of medical reports in personal injury market



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BY MAREK HANDZEL ON OCTOBER 26, 2016

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The Solicitors Regulation Authority has found major concerns with noise-induced hearing loss (NIHL) claims and the quality of medical reports in the personal injury market.

In order to compile its most recent thematic review of the PI market, the SRA conducted a survey which found several concerns about the lack of knowledge within law firms to deal with NIHL cases appropriately. Given the drop in low-value road traffic accident claims since the introduction of The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO), many firms have moved into areas such as clinical negligence, occupational disease and NIHL.

Respondents said a lack of expertise in such areas could result in poor client service and ill-conceived court proceedings. Since 2012, fewer than one fifth of the 200,000 claims for NIHL have been eligible for compensation.

ICF Consulting, which conducted the research for the SRA, also found that only four per cent of respondents believed that the quality of medical reports has improved since the creation of the MedCo portal. Many added that they thought reports had deteriorated in quality.

12 per cent of respondents said that they believed that frivolous cases were “prevalent” in the market.

The review also found that the PI sector was generally adapting positively to change. It said that consumers were still benefiting from high levels of access to services.

It also said that the majority feel that the relationship between solicitors firms, insurers and medical reporting organisations (MROs) has improved since the introduction of MedCo.

Crispin Passmore, executive director of policy at the SRA, said: “This survey suggests that in many instances claims are legitimate cases that are well handled. Yet people still have concerns about some poor practice.

“We are now carrying out a more in-depth review to fully understand the nature, extent and impact of any concerns. We can then take appropriate steps to help manage any risks and raise standards.”

The Forum of Insurance Lawyers (FOIL) added that the concerns raised had to be addressed seriously if standards of professionalism within the market were to be maintained and developed.

It also said that although the review had found that stakeholders believed that the number of fraudulent claims was decreasing, the issue of dishonest claims was still a major issue for FOIL members.

Duncan Rutter, the president of FOIL, said that alongside the work of organisations such as MedCo, the SRA had a vital role to play in enforcing standards and maintaining professionalism within the legal profession.

“Professional bodies such as FOIL also have an important role to play,” he said.

“The publication of FOIL’s Statement of Competence earlier this year sets a high professional standard for lawyers working in the insurance sector, giving insurer clients reassurance that their lawyers have the specialist skills they require. The Standard is gaining traction within the market and FOIL hopes it will come to be seen as one of the pillars underpinning high levels of skill and conduct within the sector.”

<http://www.claimsmag.co.uk/2016/10/sra-finds-issues-nihl-claims-quality-medical-reports-personal-injury-market/7299>