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## Bugged by travel sickness

**I** have previously talked about credit physiotherapy having the potential to become the new credit hire, and over the last few months there has been plenty of speculation that travel sickness claims could become the new whiplash.

Like whiplash, travel sickness claims only appear to affect British people; like whiplash they are generally classed as a non demonstrable illness; and they also appear to be fuelled by Claims Management Companies operating in this area.

The differentiator for firms bringing these claims is that they fall outside the current fixed costs regime and are therefore seen as having the potential to fill the revenue void caused by previous reforms. This situation is likely to worsen if the Prison and Courts Bill, the progress of which was halted by the snap Election, goes through as drafted.

Certainly it has troubled the government enough to put out a warning through the Foreign Office that: "You should only consider pursuing a complaint or claim if you have genuinely suffered from injury or illness. If you make a false or fraudulent claim, you may

face legal proceedings in the UK or Spain". And the details of some claims have gone beyond the legal press and reached the weekend pages of the tabloids. One recent example included a counterclaim from the hotel for the damages caused by a fraudulent claim.

In terms of reputation, it does the British no favours to have the most virulent compensation culture in Europe and possibly these days the world. I know the counter argument is that it is a reflection of improved access to justice, but our access to justice only seems to increase in areas where CMCs can make profit.

It is likely that the Government will see this as an increasingly important area for reform, however with the general election it is difficult to see it happening as quickly as some would like. When it does come it could end up being more severe than people bargain for, which would indeed have the potential to hamper access to justice, but we may end up in another situation where the behaviours of a few lead to a sledgehammer approach. ●

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