

SUPPORTING THE RIGHTS OF INJURED PEOPLE



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AIMS & OBJECTIVES

Believes passionately that victims deserve committed, well trained lawyers to support their fight for justice;

Understands that injured people can often be the most vulnerable in society and need help;

Campaigns to make a tangible difference to the lives of injured people and society as a whole;

Reassures victims and acts fairly with honesty and integrity;

Drives up standards in personal injury law and process, encouraging innovation and efficiency;

Is 'not for profit' and does not seek to make money out of the misfortune of injured people;

Treats law as a rewarding vocation, not a job, and encourages its members to thrive in their work.

- 1** To promote full and just compensation for all types of personal injury;
- 2** To promote and develop expertise in the practice of personal injury law;
- 3** To promote wider redress for personal injury in the legal system;
- 4** To campaign for improvements in personal injury law;
- 5** To promote safety and alert the public to hazards wherever they arise;
- 6** To provide a communication network for members.



BRETT
DIXON

PRESIDENT'S REPORT

This year has seen the injured person once again under threat from what some would call reform. The injured person should be at the heart of the civil justice and tort system in this country. They should be treated fairly.

From the beginning of the year APIL has engaged with government to highlight the very real problems that the proposed changes to the small claims limit could bring. Engagement is not a tool that a seasoned campaigner, such as APIL, casts to one side. You have to be in the room with the decision makers to be heard. APIL has also been very active in engagement with other stakeholders, in the media and with parliamentarians to influence change in this area. APIL continues to have high level access to ministers and civil servants and will continue to lead the fight in a proactive and considered way.

In other areas of proposed reform such as the fixing of costs in to the multi-track and clinical negligence APIL has effectively engaged with the Government and has made significant inroads. Jackson LJ originally proposed fixing costs in cases up to £250,000 – we now have a report that proposes a much lower limit of £100,000. The strong representations made, in a variety of ways both seen and unseen, have had a very real impact. Likewise, in clinical negligence the proposed ceiling for fixing costs was much higher than the £25,000 limit now settled on.

These are the incremental gains that form the basis of future success. APIL is an organisation that is in it for the long haul. It plans carefully, it engages carefully, and

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I am determined to ensure that APIL can be in the future a modern forward looking and optimistic organisation.
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we aim to build on the successes that those measured steps bring.

That long term approach is no better exemplified than the success in influencing the change in the discount rate. For too long injured people and their families were short changed by a discount rate that bore no link to reality. The change happened because APIL forced the Government to do the right thing. The fight continues, and I found it particularly heartening that the Justice Select Committee began to talk the same language as us in relation to this topic. Their focus included the injured person and their needs, but the fight is by no means over as the Government may choose not to follow that approach.

APIL seeks change that prevents needless injury and change that supports those injured in rebuilding their lives. The Serious Injury Guide is something that APIL and its members should rightly be proud of. Those seriously injured need to have access to early resolution of issues, support and rehabilitation. I have personally seen the benefit of that approach for seriously injured clients I have acted for. The endorsement of the guide by the Civil Procedure Rule Committee in the pre-action protocol is a welcome step.

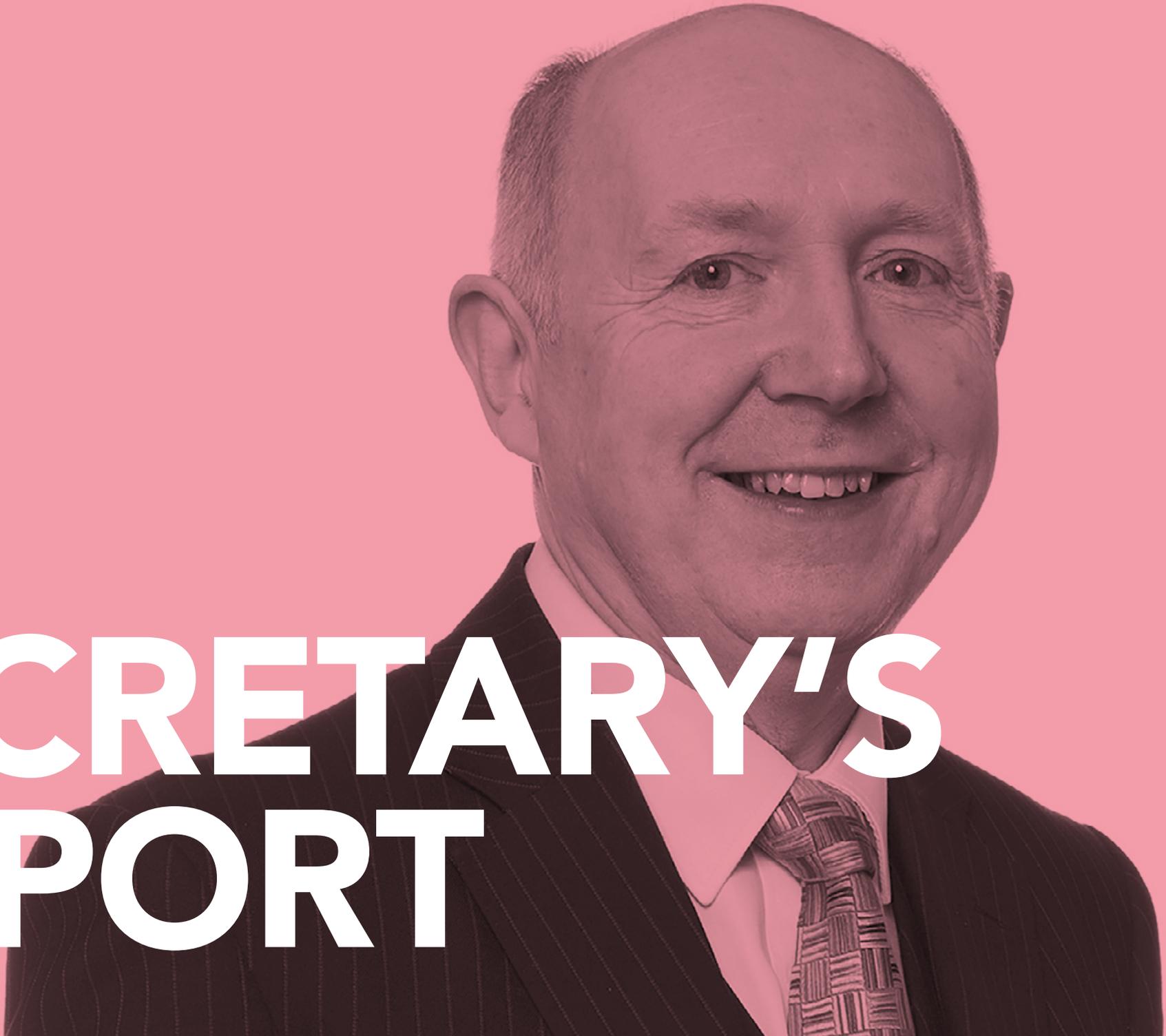
The final area of change has been within APIL. This process began with a review of governance. The truth of the matter is that more is needed and we, as members, need to be bolder in our vision. The roles on the executive committee need to be adapted to fit the modern world and to enable every member to aspire to serving in them. Such roles are voluntary and have to reflect the continuing commitment needed to members day jobs.

I am determined to ensure that APIL can be in the future a modern forward looking and optimistic organisation. The impact we can have is clear to see and the positive commitment I have seen whilst visiting many member firms this year makes me excited about the future.

Thank you for your support over the past year.

JOHN
McQUATER

SECRETARY'S REPORT

A portrait of John McQuater, a middle-aged man with a receding hairline, smiling. He is wearing a dark pinstriped suit jacket, a light-colored shirt, and a patterned tie. The background is a solid light pink color.

I am grateful for the support, throughout the year, of our President, Brett Dixon, Vice President, Gordon Dalyell; Treasurer, Nigel Tomkins; CEO, Deborah Evans and all of the APIL staff.

T This year saw the retirement of Ted Parsons who I would also like to thank for his contribution not just in the last year but over many years. I am pleased to welcome Maria Holmes as the new Head of Finance and Business Support and for the valuable work she has already done.

The headcount at APIL remained steady at 25: four of which were part time positions. In addition to Maria Holmes, two full time staff members were recruited during the year and two staff, one of whom worked part time, departed for new roles elsewhere.

The uncertainties I mentioned last year have continued with the unexpected general election and a minority Government taking office. APIL, as ever, has remained ready to engage with all opinion formers and stakeholders.

I am glad to have had the opportunity of meeting,

at training events and regional meetings, many members throughout the year and encouraged at the commitment of those members to the work we do.

APIL will remain an important focus in the year ahead in dealing with yet further proposed reforms.

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The uncertainties I mentioned last year have continued with the unexpected general election and a minority Government taking office.

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DEBORAH
EVANS

CHIEF EXECUTIVE'S REPORT

A portrait of Deborah Evans, a woman with shoulder-length blonde hair, smiling. She is wearing a dark top and a pearl necklace. The background is a solid light orange color.

APIL - a niche hub of specialist expertise within the personal injury market - has continued to drive and influence agendas at the highest level. APIL remains in a position of strength with continued strong support from the membership, despite changing market conditions further reducing the number of claimant personal injury lawyers in the market.

A PIL aims to make its members stand out in a crowded market. The emphasis on quality through accreditation engenders respect in a market often perceived externally to be focussed on price. The specialist accreditation standards continued to grow in 2017, helping the consumer more easily identify those lawyers with relevant experience and a high standard of competence.

Our training has evolved, with the uptake of webinars growing during 2017, meeting the requirements of members to undertake regular learning and development to ensure their skills and knowledge are up to date. There has been a shift away from attendance at face to face training courses as firms change their training preferences.

Specialist conferences continue to be popular, providing a variety of speakers and networking opportunities. Recognising that many of our members are now specialists, the intention is to build specialist themes into the annual conference for 2018 with the aim of reinvigorating attendance at this important event.

Strategically, we aimed to influence legal reform, and APIL scored some significant victories for its members and injured people during 2017. Many of

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So what to the future? Reforms will continue apace. Brexit will continue to dominate the minds of those in power, and APIL will meaningfully contribute to the debate.

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these campaigns are fought over extended periods of time - the Government's decision to lower the discount rate from 2.5 per cent to 0.75 per cent, putting an end to the under settlement of compensation payments for the most seriously injured of people - was a campaign fought tirelessly over a number of years.

The spectre of the whiplash reforms presents a huge challenge for those members running these claims. The proposals cut to the core of the rights of the injured person. APIL remains at the heart of these discussions, painting pictures of the problems that need to be

overcome if we are to protect the position of the litigant in person to ensure a fair outcome. APIL continues to be proactive - our campaign to ban cold calling went from strength to strength, and the APIL Injury Prevention Day gained the support of insurers, police organisations and charities alike.

Collaborative working is a strategic objective of APILs, and we have worked closely with the other claimant bodies - to present a united front where possible in opposition to the reforms.

So what to the future? Reforms will continue apace. Brexit will continue to dominate the minds of those in power, and APIL will meaningfully contribute to the debate.

During 2018, APIL will be setting a new strategy for the next three years, as aggressive Government reforms will undoubtedly reduce further the number of claimant personal injury lawyers in the market. APIL will review its cost base, becoming lean and focussed, with strong budget management to ensure that membership remains both desirable and affordable, providing essential value for money. Sustainability is key to ensuring that APIL can continue to put the injured person at the heart of every policy decision.

ASSOCIATION
OF PERSONAL
INJURY
LAWYERS

ANNUAL REVIEW



PUBLIC RELATIONS

Highlights:

- Print circulation of almost 19 million: 31 per cent increase year-on-year
- APIL spokesmen interviewed on BBC News, BBC Radio 4, Sky News, BBC Radio 5 Live and more than 40 regional radio stations.
- A 20 per cent increase in followers of the @APIL news and campaigns Twitter account.
- APIL stories and comment printed in hundreds of regional newspapers.
- An online news story including APIL for every day of the calendar year.

Discount rate

APIL was a key point of call for the media when the discount rate was changed to -0.75 per cent in February. On the day of the change, and ahead of it. APIL's president gave interviews to: BBC News channel, BBC One's Breakfast programme, BBC Radio 5live, BBC Radio 4's Moneybox, and went head-to-head with an insurance industry representative on Sky News. The aim was to remind consumers that the lower discount rate ensured that the needs of catastrophically injured people would be met, and that people have suffered hardship from years of under-compensation. Comment was provided to multiple news outlets and published by The Times, Reuters, Financial Times, BBC News Online, Daily Mail, and i, as well as legal, insurance, and financial trade publications including the Law Society Gazette, The Brief (from The Times) Actuarial Post, and Insurance Post.

A letter was issued to regional newspapers ahead of the rate change to explain why a lower discount rate represents long-overdue fairness for injured people. It highlighted how taxpayers have had to pick up the bill for shortfalls in compensation due to an excessively high discount rate. The letter was printed in 32 newspapers, reaching a print circulation of 550,000. In the summer, another regional letter campaign reminded readers that the insurance industry is responsible for the setting of premiums, not injured people. The aim was to counter rhetoric from the

insurance industry and educate the public about the needs of catastrophically injured people.

Ongoing commentary from APIL about this issue was published throughout the year on the BBC News website, in The Guardian, The Independent, The Times, Daily Mail, The Herald, and the Financial Times.

Following the Government's response to its consultation on the method for calculating the rate in September, further interviews with APIL spokesmen were broadcast on BBC News, BBC Radio 2, BBC Radio 4 and 40 regional BBC radio stations.

Small claims and whiplash reform

"People injured in traffic accidents are to be robbed of fair compensation in the deluded belief that insurance premiums will fall as a result," APIL said on publication of the Prisons and Courts Bill in February. APIL had already issued an earlier press release based on its response to the Government consultation. Both generated widespread coverage in the legal and insurance industry press.

On the day of second reading of the Prisons and Courts Bill, and the following day, a tweet about the Bill's imbalance of justice was promoted in the SW1 area, to target MPs in Westminster and raise awareness of the issues. A link to the association's parliamentary briefing was included.



APIL has always maintained that stopping negligence in the NHS is the key to making savings on its legal bill.



Banning cold calling

APIL continued to lead calls for a ban on cold calling for personal injury through its high-profile Can the Spam! campaign and through direct parliamentary lobbying.

APIL generated an article in The Times to highlight its call for a ban on calls and texts about personal injury and pointed out that claims management companies, not lawyers, are behind cold calling.

APIL's Can the Spam! campaign to end cold calling for personal injury claims was a finalist in the Association Excellence Awards 2017. The awards were developed to celebrate best practice and excellence in all aspects of trade and professional associations. APIL was a finalist in the 'Best Use of Social Media' category.

Clinical negligence

APIL has always maintained that stopping negligence in the NHS is the key to making savings on its legal bill. At the same time, it has been recognised that there is room for greater efficiency in the system in lower value claims.

A press release was issued in response to the Department of Health's consultation on fixed fees in clinical negligence claims. Health journalists had been briefed on the association's position beforehand. The DoH's toned-down plans to fix fees in cases up to

£25,000 rather than £250,000 as originally proposed, were given a cautious welcome. APIL's comments were covered in The Brief, Law Society Gazette, Litigation Futures and Solicitors Journal.

The association put together a package for The Telegraph including figures about 'never events' in the NHS in 2016-17, a case study and commentary about the need to focus on patient safety and avoid waste and delay in the claims process. An article was published online.

APIL assisted a Sunday Times journalist with her long-running investigation into the scale of spinal surgery failures, by putting her in touch with lawyers with experience in these cases.

Injury Prevention Day

APIL's annual Injury Prevention Day in August received strong support. The purpose of the day is to underpin the association's key objective of helping to prevent needless injury by highlighting avoidable hazards. The focus was on whiplash injuries, and the opportunity was also taken to highlight the need for Government support to reduce injuries rather than attack the right to claim compensation.

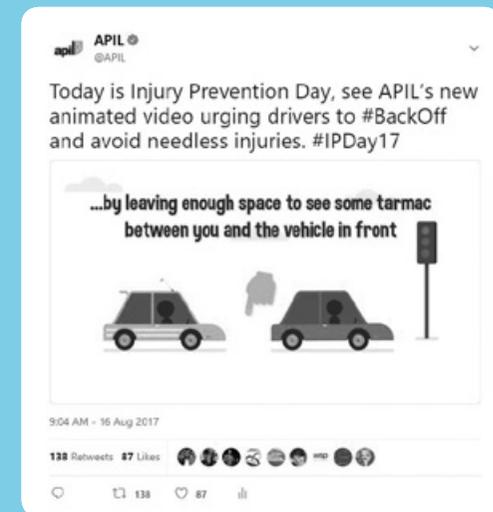
For 2017, a new animated video showed how Britain has some of the most congested roads in Europe and explained how congestion gives rise to rear-end collisions and whiplash injuries when motorists drive too closely to the car in front. The video was promoted widely on Twitter and on APIL's dedicated anti-tailgating 'Back Off' Facebook page.

Figures obtained through a freedom of information request provided the number of people penalised for careless driving in 2015-16. These figures were used in a regional press release and in infographics for Twitter and Facebook around Injury Prevention Day, which was promoted with the hashtag #IPDay17.

APIL approached MPs, other organisations, and members, calling for support for Injury Prevention Day

and the 'Back Off' initiative. Insurers were asked to lend their support through a comment piece in Insurance Post, to which Aviva responded and subsequently shared the video and anti-tailgating messages on its website and social media accounts. Members blogged about the importance of injury prevention and shared the 'Back Off' video. A blog by APIL president Brett Dixon was given exclusively to Legal Futures and published on Injury Prevention Day, explaining the rationale behind the event.

The 'Back Off' campaign was revived again for winter when APIL obtained a breakdown of figures which showed the top ten factors contributing to road collisions in Britain, which included tailgating. A press campaign called for drivers to do all they can to help make roads safer and avoid needless injuries.



Workplace safety

Figures were obtained which showed the rate of workplace injuries in different local authority areas. Using these figures, a press release was prepared and issued to the top 38 areas in Great Britain with the highest rate of harm. Comments from APIL's president in the release highlighted the need to preserve health and safety laws during the Brexit process.

Challenging perceptions

In October, a public information booklet Compensation Explained was launched online. Simultaneously, a comment piece from APIL president Brett Dixon was published in the Law Society Gazette about how misconceptions about personal injury need to be challenged through education. Written and designed in-house, the booklet provides a comprehensive, beginner's guide to personal injury compensation, using illustrations, case studies gathered from the APIL membership, and dialogue from practitioners. The booklet also covers areas of the law where justice falls short, highlighting APIL campaigns such as the push for an overhaul of the law on bereavement damages. Thousands of hard copies were distributed to APIL members, who have displayed the booklets in their firms' reception areas, distributed them to new clients, and shared with friends and family members. The booklet was promoted and supported extensively on Twitter.

APIL has a zero-tolerance approach to counteracting damaging myths and misconceptions in the popular press. Rebuttal letters relating to claims against schools, hospitals and local councils are often printed, and explain the difference between an accident and negligence. APIL set the record straight about clearing ice and snow during the wintery weather in 2017, and reassured Good Samaritans that they will not be sued as long as they are sensible. This was in response to a Daily Mail article, but was also issued as a press release to regional newspapers nationwide.

The reform agenda

In addition to the Government's agenda, work continued on maximising opportunities to highlight issues which relate to APIL's ongoing, proactive agenda for law reform.

When a woman in Scotland was mauled by a dog, APIL issued a press release to highlight how people injured by dangerous dogs cannot claim compensation through the Criminal Injuries Compensation Scheme (CICS).

Further issues with the CICA were highlighted in a comment piece by APIL president Neil Sugarman for the Law Society Gazette. In the article he called for a review of the £500,000 cap on criminal injury compensation payments.

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APIL called for change to the legal aid system which routinely denied legal aid to bereaved families.
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On International Workers' Memorial Day (IWMD) in April, APIL highlighted the need for the law on bereavement damages in England and Wales to change. A story including figures from the Health and Safety Executive was issued to highlight the top 20 local authority areas with the highest rate of workplace deaths. A series of tweets and infographics was also created to be used on social media.

APIL called for change to the legal aid system which routinely denied legal aid to bereaved families following publication of Right Reverend James Jones'

review of the experiences of the Hillsborough families in November. A letter to regional newspapers from APIL's president followed news reports about several high-profile cases in which bereaved families were denied legal aid for the inquests. The letter reached a total circulation of more than half a million in key regional papers including the Liverpool Echo and Sheffield Star series, and also the Birmingham Mail and Express and Star in the West Midlands.

Speaking engagements

APIL was invited to speak at several industry events to represent the claimant's view on key issues.

APIL's president (2016-17) Neil Sugarman spoke for injured people in a lively discussion about the consequences of the new discount rate hosted by the Institute and Faculty of Actuaries.

Deborah Evans took part in a panel debate at the Motor Insurance Summit in London, attended by approximately 150 members of the insurance industry. Much of the session, titled Reforming the claims industry, focussed on tackling fraud. Deborah said there would be more merit in tackling cold calls than simply trying to make all claims "go away".

Brett Dixon (president 2017-18) reminded delegates at the Manchester Law Society's personal injury conference of APIL's long-term work in pushing for a review of the 2.5 per cent discount rate and making comment about how the proposed legislation must be changed.

Twitter

APIL uses Twitter prolifically to disseminate campaign messages, engage with like-minded individuals and organisations, and to share our work and news. Over the course of 2017, the number of Twitter users following the @APIL account increased by 20 per cent.

Followers are not paid for or obtained through a Twitter growth service but are acquired 'organically' as a result



Speaking to the committee, APIL president Brett Dixon warned that if someone is not compensated properly, the State will be called upon to cover the shortfall.



of thought-provoking tweets, targeted promotions, and fresh, interesting content including infographics and videos. In 2017, tweets from the @APIL account were retweeted 7,390 times.

Twitter has been a key tool for APIL in several projects, including the launch of the Compensation Explained publication and publicising Injury Prevention Day. APIL also tweets events when appropriate, including updates from the APIL annual conference and from select committee evidence sessions.

Parliamentary work

The year started with an expectation that it would be spent lobbying against legislation to implement reforms to whiplash claims, as well as against the Government's wish to increase the small claims limit. A snap general election announced in April changed everything, with the legal industry left wondering what this meant for the proposals. A new minority Conservative Government emerged from the election with a fresh commitment in the Queen's Speech to continue with its proposed reforms as part of a new Civil Liability Bill.

- Meetings continued in Westminster in opposition to the Government's whiplash and small claims



Public affairs team

proposals, with APIL sitting down with Conservative, Labour, and Plaid Cymru MPs. As well these individual meetings, APIL took its messages to the House of Commons Justice Select Committee, which invited APIL to give oral evidence at a one-off evidence session. Neil Sugarman (president 2016-17) gave evidence as the sole claimant representative, and challenged the Government's premise for reform. After hearing from APIL and the Association of British Insurers, the committee's chairman, Bob Neill MP, remarked that he was getting a "sense that the real problem is that the Ministry of Justice is firing in entirely the wrong direction...".

- After the introduction of the Prisons and Courts Bill, which included the new tariff for soft tissue injury claims, APIL was again invited to give its views on the proposals to a committee of MPs which was established to scrutinise the Bill. During the evidence session APIL vice president Brett Dixon urged MPs "not to be taken in by the hyperbole prevalent in the sector and think how we as a society we would want to deal with someone who has been genuinely injured as a consequence of somebody else's negligence". Only days before MPs were due to consider amendments to the personal injury

reforms in the Bill, Prime Minister Theresa May surprised the country by calling a general election. This put an end to the legislative journey of the Prisons and Courts Bill, which was unable to be passed into law because of lack of parliamentary time.

- The year ended with uncertainty as to when the proposed reforms would be re-introduced. The Justice Select Committee then launched a short inquiry into the small claims limit for personal injury claims. In written evidence to the committee the association argued that the reforms were both unnecessary and unfair.
- Whiplash and small claims were not the only areas of personal injury law under the microscope of Parliament. In February, the Government announced a change to the discount rate for the first time since 2001, but it was not welcomed by all. Conservative peer Lord Hodgson of Astley Abbots tabled a "motion of regret" in the House of Lords to secure a debate on the Government's decision to change the discount rate. Peers were briefed by APIL ahead of the debate. They were told that a change in the rate was long overdue and injured people should not be forced to take financial risks with their compensation.
- An APIL representative gave evidence to a UK parliamentary committee for the third time in less than a year in response to a further invitation from the House of Commons Justice Select Committee. The committee had been asked by the Government to conduct pre-legislative scrutiny into proposals on how the discount rate should be set in future. Speaking to the committee, APIL president Brett Dixon warned that if someone is not compensated properly, the State will be called upon to cover the shortfall. The committee concluded that the Government needed to provide further evidence for its proposals.
- APIL's ongoing campaign to ban cold calling and spam texts for personal injury claims moved one

step closer to possible success after a commitment from the Government to consider legislating for a ban. The commitment was made by the Government as peers debated the Financial Guidance and Claims Bill. After its introduction into the House of Lords, APIL briefed peers that it was a missed opportunity to ban personal injury cold calling and spam texts. After gaining the interest of former minister Baroness Altmann, APIL worked with her to develop an amendment which would have included a ban in the Bill. Despite rejecting this amendment, the Government said it will work on including a possible ban on cold calling by claims management companies in the Bill once it had moved to the House of Commons in 2018.

- A personal injury factsheet was sent to newly elected MPs after the general election. This was designed to provide an introduction to new MPs ahead of any debates on personal injury. The factsheet was followed up with individual meetings, including new MPs who were joining the House of Commons Justice Select Committee
- Work continued behind the scenes to ensure the campaign to improve bereavement damages in England and Wales would remain on the agenda in Westminster. Support for the campaign was secured from Labour MP Keith Vaz whose interest had developed after the death of one his constituents. Discussions were ongoing at the end of the year in preparation for a potential Private Members' Bill to be introduced into the House of Commons in early 2018.

Scotland

- APIL supported the Limitation (Childhood Abuse) (Scotland) Bill which removed the limitation period for some victims of child abuse. During an evidence session in front of the Scottish Parliament justice committee, Digby Brown solicitor Graeme Garrett, representing APIL, said the Bill would give a voice to victims of child abuse, but warned that

it would not benefit all survivors. Members of the Scottish Parliament passed the Bill, but without APIL's concerns being dealt with by the Scottish Government.

- In evidence to the Scottish Parliament justice committee APIL welcomed the Civil Litigation (Expenses and Group Proceedings) (Scotland) Bill as a 'positive development'. APIL provided both written and oral evidence to the committee, with Scotland co-ordinator Ronnie Conway appearing for APIL at a session in September. The Bill was published by the Scottish Government to implement recommendations made by Sheriff Principal Taylor after his review of costs and funding in civil litigation.
- APIL started work on a campaign to prevent further needless deaths on British roads as the third anniversary of the Glasgow bin lorry crashed approached. APIL worked with East Lothian MP Martin Whitfield to question the Department of Transport on when it would consult on how the DVLA makes licensing decisions: a recommendation made in the fatal accident inquiry into the crash. The response made it clear that a consultation is unlikely, and next steps in this campaign are being considered.

LEGAL AFFAIRS AND LAW REFORM

Discount Rate

This year saw the end of the sixteen year wait for a review of the discount rate and six years after APIL had issued its first judicial review of the Lord Chancellor's failure to review the discount rate. Both this first judicial review and the subsequent proceedings which issued at the end of 2016 were conducted, pro bono, by Peter Todd at Hodge Jones & Allen solicitors and Philip Havers QC of 1, Crown Office Row. APIL is grateful to both for all of their hard work over the years on behalf of the association and their injured clients.

Judicial review

Following the Lord Chancellor's announcement that she would announce the result of her discount rate review by the end of January 2017, the Association of British insurers (ABI) issued proceedings to review that decision. APIL intervened in the ABI's judicial review which was dismissed by the Administrative Court on 26 January.

New Rate

The Lord Chancellor also announced that the result of her review would be delayed by a month. On 27 February 2017, six years after APIL issued its first judicial review of the Lord Chancellor's failure to review the discount rate since 2001, the rate was changed to minus 0.75 per cent for England and Wales. Scottish Ministers followed suit on 27 March, setting the same revised discount rate in their jurisdiction.

Consultation

The Lord Chancellor also announced a further consultation on how the discount rate is to be calculated in the future. APIL took further legal advice at this stage from Bindmans and submitted a detailed response in May to the joint MoJ



Legal affairs team

and Scottish Government consultation. The MoJ's response was published in September. APIL subsequently met civil servants to discuss various aspects of the consultation and submitted comments and further representations on proposed draft legislation which would change how the rate is calculated and by whom in October. By the end of the year the MoJ has not progressed its proposals any further.

– **Scotland - Discount Rate**

The Scottish Government announced that it would be publishing a Damages Bill as part of the 2017-18 Programme for Government which is intended to both amend the law in Scotland on the Personal Injury Discount Rate and also enable courts to impose periodical payment orders when making an award of damages in respect of a personal injury. APIL has met civil servants to discuss the changes which the Scottish Ministers are contemplating and legislation is expected in 2018.

– **Northern Ireland – discount rate**

The Northern Irish executive did not take part in the joint consultation which closed in May 2017. In the absence of a Minister, the Department of Justice asked Northern Ireland stakeholders to provide their views on the issues raised in the joint consultation so that once a Minister was in post he or she will be able to consider the issue. APIL responded with the assistance of its Northern Irish members.

Clinical Negligence

The Department of Health issued its long-awaited consultation on fixing fees for clinical negligence claims valued at £25,000 or less on 30 January. There was little in the proposals for injured people. The reforms focused on fixing costs for all clinical negligence claims valued between £1,000 and £25,000, including claims relating to private health care, a substantial row-back from the pre-consultation proposals which had suggested that all claims valued up to £250,000 would be considered suitable for fixed costs.

The 2017 proposals apply to England and Wales although it is still unclear how these proposals will link in with the Redress Process in Wales. The paper suggested that the reforms would streamline the process for injured people, but it was clear that they did not.

The working group of specialist practitioners worked with APIL staff to submit a response by the end of April 2017. APIL also met with officials at the Department of Health to discuss concerns with the consultation paper.

APIL's response called for a system which is right for injured people and for a new emphasis on the development of a fixed, predictable claims process rather than imposing fixed costs on existing procedures. The premise for the reforms is also challenged on the basis that the NHS's own data makes it clear that the average cost of claims has fallen by 14 per cent since 2012/2013. The impact of the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act is now also coming into effect, automatically saving the NHS around a third in terms of costs and expenses. APIL acknowledged the need for change in the system as a whole and alternative positive proposals for reform have been put forward.

APIL also met regularly throughout the year with the Law Society, AvMA and SCIL to discuss the threat of these reforms.

Small claims and whiplash proposals

APIL submitted its response to the Government's consultation in early January. The response was given greater weight by the excellent response from members to the request for case studies. The Ministry of Justice published its response to the whiplash reforms consultation on 23 February. The following reforms were confirmed:

1. The introduction of a tariff of fixed compensation for pain, suffering and loss of amenity for claims with an injury duration of between 0 and 24 months;

2. Providing the judiciary with the facility to both decrease the amount awarded under the tariff in cases where there may be contributory negligence or to increase the award (with increases capped at no more than 20 per cent) in exceptional circumstances;
3. Introducing a ban on both the offering, payment and requesting of offers to settle claims without medical evidence;
4. Increasing the small claims limit for RTA related personal injury claims to £5,000; and
5. Increasing the small claims limit for all other types of personal injury claim to £2,000.

Items 1 to 3 were originally to be introduced through provisions in the Prisons and Courts Bill and items 4 and through secondary legislative procedures. This Bill fell because of the election, see parliamentary campaigns.

Following the announcement in the Queen's Speech on 21 June that these reforms would be taken forward in the Civil Liability Bill. The MoJ set up a Steering group of industry experts the group's objective is to work with MoJ to identify issues for taking forward the increases to the small claims limit. Separate sub-groups were then formed to support that work, and to provide detailed advice and input on specific areas. APIL holds seats on all groups. It remains the Government's intention to implement these reforms as a package however the timings for this are unknown at the time of writing.

The Association continued to work closely with the Law Society and MASS throughout the year on key stages of this work, including work on the draft Bill and during MoJ working group meetings.

In addition to the consultation response, APIL obtained legal advice from Bindmans Solicitors over the Christmas 2016/ New Year 2017 period on the merits and timing of a potential challenge to the government's apparent plans (at that point in time) to abolish general



Lord Justice Jackson addressing the APIL Annual Conference

damages for minor soft tissue injuries and/or the introduction of a tariff with fixed compensation for minor and non-minor injuries. The advice also covered the merits and timing of a challenge to the expected increase in the small claims limit.

Lord Justice Jackson's fixed recoverable costs review

Following the announcement that Lord Justice Jackson would be leading the review into fixed recoverable

costs for cases valued up to £250,000 a working group meeting was set up to inform APIL's response. The working group consisted of EC members along with SIG coordinators and secretaries.

The response focussed on the breadth of complexities that arise in the small fraction of personal injury cases valued between £25,000 and £250,000. The aim of the paper was to show the difficulties in valuing these cases from the outset, as no two cases are the same, injuries are unpredictable, and recovery does not take a set path.

APIL suggested that a better way forward would be to place the Serious Injury Guide on a more formal footing as it puts the injured person at the centre of the process. Case studies from members allowed APIL to illustrate the issues and provide evidence in support of the arguments made.

Lord Justice Jackson published his supplementary report on fixed costs on 31 July. He recommended that fixed costs be introduced for all fast track cases. A new "intermediate track" should be introduced for certain claims up to £100,000. In so far as clinical negligence claims are concerned the CJC should set up a working party with both claimant and defendant representatives to develop a bespoke process for handling clinical negligence claims up to £25,000. This should have a grid of fixed costs attached. These proposals are expected to be consulted upon in 2018.

Civil Justice Council- Noise induced hearing loss claims

After nearly two years work the final report was published on 6 September. The report recommended fixed recoverable costs and improvements to claims management in NIHL cases pre and post issue.

The Master of the Rolls welcomed the report and recommended to the Lord Chancellor that it is considered as part of the Government's wider review of fixed costs in 2018.

Interventions

APIL regularly receives requests for financial assistance or to intervene, as well as pro-actively taking the initiative to intervene in individual cases. A strict set of criteria is applied to all applications: APIL will not provide indemnities for adverse costs, in order to safeguard its own finances, but will make written submissions or make applications to intervene in support of particular issues. All requests are considered by a challenging judgments working party made up of two of the APIL officers, senior APIL staff and co-opted

EC members who have relevant expertise in particular cases.

The challenging judgments working party considered six cases where APIL's intervention was either requested by instructing solicitors or where APIL considered a pro-active application, only one of which (Iqbal) was ultimately taken forward this year.

– **JC & A Solicitors Ltd v (1) Iqbal (2) EUI Ltd**

APIL made written submissions as an interested party to the Court of Appeal, supporting the appeal seeking to overturn the lower court's decision. This and linked cases were colloquially known as 'the £400 club' appeal. It related to pre-July 2013 cases where claims were lodged in the portal under the low value RTA pre-action protocol. The defendant insurer, EUI Ltd, claimed that in these cases, the stage 1 £400 fixed fee should be repaid. The Court of Appeal overturned the lower court decision, holding that the stage 1 fixed fee is not repayable should the claim fail to proceed to stage 2.

Other key consultations

– **Holiday sickness**

MoJ proposals contained in a call for evidence published in October suggested that the existing employers' liability and public liability (EL/PL) pre-action protocol (PAP) would be modified to enable claims arising from package holidays to be dealt with using the PAP. APIL's response indicated that the amendments to the protocol would be disruptive for existing EL/PL claims and that a separate protocol ought to be considered. Further, the MoJ's 'cure' goes much further than the identified malaise of spurious gastric illness claims, potentially catching all package holiday claims including those involving marine, aviation and multiple claimants actions.

– **Motor Insurance Reform**

APIL continued to be involved in consultations on motor insurance reform in 2017. The Department of Transport carried out a long overdue consultation on

bringing the Road Traffic Act in line with the ruling in Vnuk and the European Commission consulted once again on the scope of the Motor Insurance Directive. APIL maintains that the case of Vnuk was correctly decided and that the scope of compulsory insurance within the Motor Insurance Directive should not be limited to the use of vehicles in the context of traffic. APIL highlighted to the UK government that, under the directive, it is free to create a list of derogated vehicles to which the compulsory insurance requirement would not apply. This would prevent the requirements of the directive being too onerous.



We oppose the Government's proposal to enshrine combat immunity in legislation, however, and the Government's definition of "combat" extends to decisions made far beyond the heat of battle.



– **Rapid Resolution and Redress in birth injury cases**

Following meetings with stakeholders – including APIL – in 2016, the Department of Health consulted on a rapid resolution and redress scheme for severe avoidable birth injuries in May. Jeremy Hunt confirmed later in the year that the Department would be bringing forward a final policy proposal on the scheme in Spring 2018. APIL would welcome the proposed early investigations and shared learning, but families should also have access to independent legal advice at the earliest opportunity,

and full and fair compensation. The consultation in May proposed that legal advice would only be available to families after the investigation stage, and that compensation under the scheme would be equivalent to only 90 per cent of the average current court award.

– **Better Combat Compensation**

APIL awaits the outcome of the Ministry of Defence's consultation on "Better Combat Compensation". APIL would welcome enhanced, rather than tariff based, compensation for those barred from pursuing a negligence claim by combat immunity. We oppose the Government's proposal to enshrine combat immunity in legislation, however, and the Government's definition of "combat" extends to decisions made far beyond the heat of battle. The proposals as drafted take away the rights of soldiers and veterans to pursue negligence claims in court, meaning the Ministry of Defence will not be held accountable and lessons will not be learnt.

Northern Ireland

Lord Justice Gillen published his final report on a review of the civil justice system in Northern Ireland in October this year. APIL welcomed recommendations to move towards paperless courts; to bring forward legislation requiring court approval for all legal cases involving settlement or award of damages to a minor, and recommendations to make the pre-action protocol more efficient. APIL is opposed to the suggested increase in county court jurisdiction to £75,000, and changes to the pre-action protocol should not be contingent on the county court jurisdictional limit being increased. APIL remains committed to working with the Civil Justice Review Group and, when established, the Civil Justice Council, to ensure that improvements to the civil justice system in Northern Ireland take place.

In April, APIL responded to a consultation on introducing a statutory registration scheme for providers of publicly funded legal services. APIL supports the aim of ensuring that those who receive

public funding for the delivery of legal services provide the appropriate level of quality of service. With the schemes requirements being largely administrative, however, we are concerned that this aim simply won't be achieved.

Scotland

APIL responded to two consultations from the Scottish Civil Justice Council this year. In January, APIL welcomed new draft rules on Fatal Accident Inquiries (FAIs), but expressed concern that there are simply not the resources available to the Crown Office and Procurator Fiscal Service to comply with the requirements of the rules in practice. Effectiveness of FAIs should take precedence over efficiency, and the deadlines set in the rules, while increasing efficiency, are likely to be unworkable. Later on in the year, APIL submitted a response to the Scottish Civil Justice Council's consultation on solicitors' fees. APIL warned that the Table of Fees as it currently stands is not reflective of the work carried out by solicitors, with more work now being carried out pre-litigation.

Code of conduct

APIL investigated five complaints about members and former members this year. The comprised: a complaint by a company about various firms' activities, in which investigations revealed that no members were involved; a complaint by a member about another members' conduct which was resolved amicably. There were also three complaints about the misuse of APIL's logo/misleading claims of expertise: one of which was resolved by way of an undertaking; two which required complaints to be lodged with the Advertising Standards Authority leading to the removal of the logo from one former member's website while the other complaint remained ongoing at the end of the year.

@PIneedToKnow

APIL's legal affairs and public affairs teams conduct a daily monitor of news, legal, political, government and

stakeholder websites to ensure that the association remains up to date on daily developments of interest. The Legal Affairs team tweets some of the detail from this web monitoring via its dedicated twitter account @pinedtoknow. The account is aimed primarily at APIL members and experts, attracting an audience of companies and individuals with an interest in keeping up to date about developments in PI law and related issues.

Information Exchange Service and discussion forums

The Information Exchange service provides an online source of case reports, discussion papers, notes on best practice along with the expert database, insurer search facilities, an archive of past issues of JPIL, APIL's quarterly publication for personal injury lawyers, solicitor and barrister search functions, and various guidance and codes. The online discussion forums allow members to interact with each other and the APIL office. There are currently ten active forums. 'Practice and procedure' is the busiest forum: there were 3,440 replies to 568 threads created this year: participation on this forum has remained steady with nearly two hundred regular participants to conversations.

Working with other organisations

– **FOIL- cross industry working group on rehab**
APIL is represented on the cross industry working party on rehabilitation in lower value claims, which was established by FOIL. The group consists of claimant, insurer and rehabilitation provider representatives, with the aim of establishing a workable, industry agreed model to address issues arising in rehabilitation in lower value cases. It is hoped that this can be put to the Ministry of Justice before they respond to Part 2 of their Whiplash Reform Programme. The group met in July and September this year, and a sub-group is making progress towards establishing an agreed process for rehabilitation in lower value claims. A second sub-group is due to start work on rates and invoicing in early 2018.

– District Judges

APIL met with Her Majesty's Association of District Judges and FOIL once this year for useful joint discussions on the impact of the government's whiplash and small claims limit proposals; preparing for online courts; McKenzie Friends and the Serious Injury Guide.

– Criminal Injuries Compensation Authority

We continued to represent the interests of victims of criminal injury by virtue of APIL's delegate seat at the CICA's Stakeholder and Equality Forum. This enabled us to have input into delays in the processing of applications and to monitor and raise concerns about the efficiency and quality of medical reporting carried out on behalf of the CICA. We were also able to highlight the issue of the practical implications arising out of case law which decided that injured people who lacked capacity had to have a Court of Protection appointed Deputy to make or continue their application.

– HM Revenue and Customs

This year APIL built on the relationship it had nurtured in 2016 with the HMRC staff at Long Benton, Tyne and Wear. HMRC processes applications for work histories here and staff arranged to meet APIL in early 2017 and gave a presentation to the Occupational Health SIG in June, outlining the work done to reduce the considerable delays in providing work histories and setting out what would continue to be done to keep on top of requests.

– County Court Money Claims Centre

APIL attended four stakeholder meetings at the CCMCC, Salford. These meetings are useful forums where the court can engage with regular users of the county court to discuss the day to day running of the court and including: online courts, age of work, help with fees (fee remission), complaints and improvements, mediation, litigants in person and other relevant issues.



Work continued at www.apil.org.uk to further enhance the navigation for APIL members and stakeholders. The site received an average of 5,208 visitors per month to the 'Find a lawyer' page.



- **Motor Insurers' Bureau**
Following the publication of the MIB's new Untraced Drivers' Agreement this year, and members' concerns about various aspects of it, APIL alerted the MIB to the unintended consequences of its new clause ten, which the MIB then amended, thereby ensuring that applicants may instruct solicitors who in turn, may lodge applications on their behalf under the terms of the Agreement.
- **Claims Management Regulator**
APIL attended two meetings of the Claims Management Regulatory Consultative Group this year. A main focus of the meetings was to update on the progress of the transition of claims management regulation from the Claims Management Regulator to the Financial Conduct Authority. The transition is due to take place in 2019. Also of note, the number of businesses authorised by the Claims Management Regulator has fallen to 1,308, with just over half operating in the PI sector.

APIL FOIL MASS Register of Mediators

Following changes to the Register of Mediators website in 2017 to incorporate clinical negligence mediators, user testing of the site is now complete. Final work on terms and conditions is due to be completed in early January, with the site going live in Spring 2018. Once live, the website will provide a facility for members of FOIL, MASS and APIL to access a list of personal injury and clinical negligence mediators who meet certain criteria.

Consumer Panel

The APIL Consumer Panel met throughout the year to offer views on APIL's activities, strategies and campaigns. Representatives from the Spinal Injuries Association, Headway, Brake, Roadpeace, Backup, RoSPA, Aspire, joined APIL staff and members to discuss a range of topics. Legal reform remained a hot topic, with the charities energised by discussions around the discount rate. The panel will continue to provide a viewpoint on APIL's activities including the Serious Injury Guide and the MASCIIP vocational rehabilitation guidelines next year.

PUBLISHING AND PUBLICATIONS – PAPER AND ONLINE

Serious Injury Guide

There are now 79 claimant signatories and 13 insurer signatories to the Serious Injury Guide. The guide continues to be positively received, with a February 2017 survey of claimant participants revealing that 78 per cent of those who responded felt that the guide leads to easier access to rehabilitation, with 67 per cent saying that it leads to greater collaboration towards resolving the case. The guide is also now referenced in the Pre-action Protocol for Personal Injury Claims and continues to feature in the latest editions of Facts and Figures. A joint survey of both claimant and insurer signatories is scheduled to take place in January 2018.

JPIL

APIL's quarterly journal is published by Thomson Reuters under the Sweet & Maxwell imprint. The journal is popular with practitioners and academics and is available to subscribers both in paper print and online. There were changes to the editorial board this year. John Spencer stood down from his role as interim general editor and Colin Ettinger, an existing board member was appointed in his place. After an open advertising and interview selection process two new editorial board members were also appointed: Kim Harrison from Slater & Gordon and Brett Dixon from Smith Jones Solicitors.

PI Focus

This is APIL's flagship members' publication, covering a wide range of topics written by leading barristers, solicitors, experts and other professionals. Including: cruise liner and holiday claims; CICA applications; equine law; asbestos, prison, fatal accident claims; vaccine damage; secondary victims; stress at work; post-traumatic stress disorder; damages for immunotherapy; the legal aspects of driverless cars; employers' liability insurance; the PI aspects of rollercoaster failures; video surveillance evidence; psychiatric injury in aviation claims; the courts' approach to exaggeration; and vicarious liability.

APIL guides and loose-leaf

Jordan Publishing was acquired by Lexis-Nexis in 2016 which has continued to publish the APIL Guides series and the APIL loose-leaf publication.

Experts and Rehabilitation Services Directory

This year's edition, containing listings for APIL experts was published in June.

Website and online activity

Work continued at www.apil.org.uk to further enhance the navigation for APIL members and stakeholders.

Processes and procedures were integrated into both the intranet and website to ensure slick functionality when searching for accredited members. Full recording systems have been integrated to enable management to monitor and review the service provided to injured people at regular intervals.

- The site has received an average of 5,208 visitors per month to the ‘Find a lawyer’ page.
- Traffic to the clinical negligence lawyer pages increased by nine per cent from 3,670 to 3,986 hits for the year.
- Traffic to the webinar training page also increased by five per cent from 4,462 to 4,681 visitors: this reflects the developing requirement by the membership for distance learning.
- A total of 8,000 posts were made to the members’ forum for the year 2017.
- Accredited lawyers can now enhance their online presence by including links to their social media pages, photographs, biographies, and languages spoken.

Considerable work continued to be done on search engine optimisation and tagging, in order to keep APIL well-placed in Google searches. More text has been added to pages and new areas introduced, including a new research and search facility.

In addition, APIL migrated its email system from Exchange 2007 to the cloud-based Microsoft Office 365 Business Essentials plan.

RESEARCH

“Whiplash” reforms

Extensive research was undertaken to support APIL’s response to the Government’s “whiplash” consultation.

A Strategic Alliance (APIL/ Law Society/ MASS) commissioned report by the economists Compass Lexecon uncovered how the Government’s own impact assessment showed that the “whiplash” reforms would cost injured people and the taxpayer £100 million every year. Insurers were found to benefit by £200 million.

The assumptions used by the Government to calculate the costs and benefits of the proposals were found to be flawed, meaning that it had under-estimated the cost of its plans to the taxpayer and injured people:

- The Government failed to take into account the costs to HM Courts & Tribunals Service (HMCTS) of increasing numbers of litigants in person and the loss of court fee income from personal injury cases.
- A Government assessment of the proposals underestimated the cost to injured people: it failed to take into account how an increased small claims limit would affect employers’ liability, public liability and clinical negligence claimants. Only the cost to

RTA claimants was taken into account.

- The degree to which the NHS would be affected was under-estimated. When calculating how much the NHS would lose in compensation recovery income, only dropped RTA claims with an injury duration of less than six months were taken into account. However, the NHS will also lose compensation recovery income from a range of other personal injury claims, including employer and public liability claims, as well as RTA claims with an injury duration of over six months.

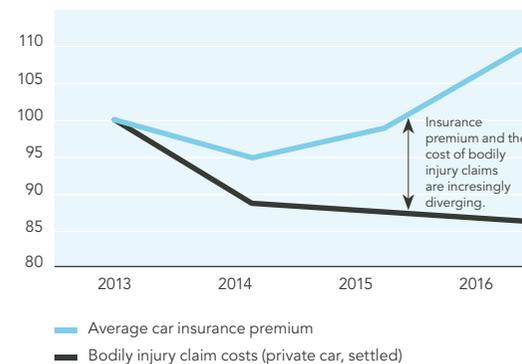
At the end of 2017, APIL found that the number of neck, back and whiplash claims had fallen by ten per cent between 2012/13 and 2016/17, further undermining the Government’s case for its “whiplash” reforms.

Patient safety

An analysis of the causes of clinical negligence claims in the NHS established that claims caused by failures and

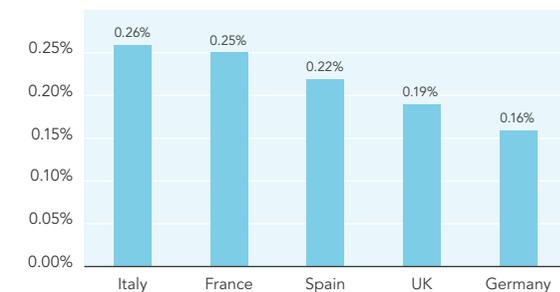
Cost of motor related bodily injury claims, average motor insurance premium (base = 2013)

Source : APIL analysis of Association of British Insurers (ABI) data



Estimated cost of motor related bodily injury claims as a percentage of GDP

Source : APIL analysis of ABI and Insurance Europe data



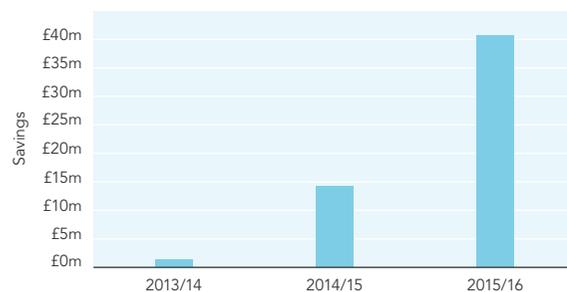
delays in both treatment and diagnosis cost the NHS more than any other. As a result of these failures, 2,668 successful claims were closed in 2016/17. The damages associated with these claims totalled £397.5 million.

Between 2014/15 and 2016/17, the number of successful claims where failed/ delayed treatment was cited as the cause increased by 29 per cent. This increase has taken place against a backdrop where waiting time performance in the NHS has been "deteriorating across the board", according to available statistics and research.

A range of patient safety data published by the NHS has also been analysed. This found that reported patient safety incidents resulting in death increased by 14 per cent between 2015 and 2016. 2016 also saw the highest number of reported patient safety incidents resulting in death since NHS organisations were mandated to report these incidents.

Estimated LASPO related savings on claimant legal fees for clinical claims closed / settled by NHS Resolution

Source : APIL analysis of NHS Resolution data and Irwin Mitchell modelling on the impact of LASPO on claimant legal costs



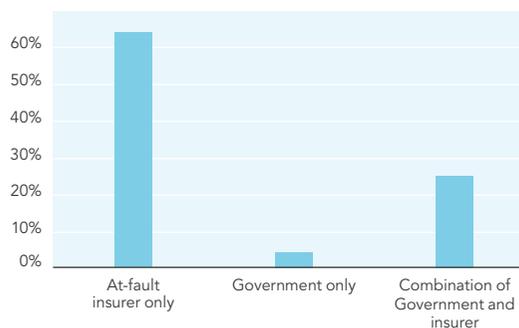
The discount rate and 100 per cent compensation

YouGov polling commissioned by APIL suggested that there is strong public support for a discount rate which delivers 100 per cent compensation to injured people. The polling found that:

- 61 per cent of premium holders would prefer to pay more for car insurance if it meant that, if seriously injured, they received compensation which covered all of their care and medical expenses.
- Close to two thirds (64 per cent) of adults in Great Britain think that only the insurance company of the person who caused the car accident should be responsible for funding the injured person's care, treatment and rehabilitation.
- Just four per cent think that only the Government via tax spending (e.g. NHS) should be responsible for funding the injured person's care, treatment and rehabilitation.

Who should fund an injured person's care, treatment and rehabilitation

Results of YouGov polling of adults in Great Britain.
Source : YouGov polling commissioned by APIL



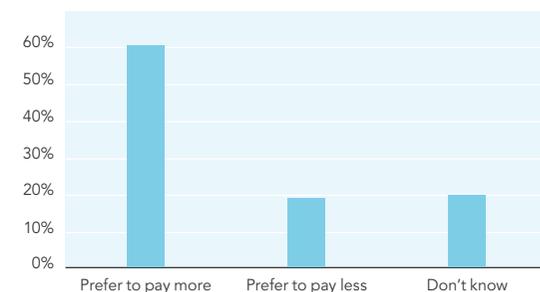
Cold calling

A range of research was carried out to support APIL's case for a ban on personal injury related cold calls and texts:

- Analysing data obtained from the Information Commissioner, APIL found that regulated claims management companies were likely to be responsible for 51 million personal injury related nuisance calls and texts every year. This research was quoted by Baroness Altmann in a House of Lords debate on the Financial Guidance and Claims Bill.
- YouGov polling commissioned by APIL found that 77 per cent of people who have made a personal injury claim agree there should be a ban on cold calls and texts which encourage people to make personal injury claims.
- Analysis of data published by the Information Commissioner's Office (ICO) found that existing measures to deal with personal injury cold calling

Percentage of car insurance premium holders who would prefer to pay **more** for car insurance if it meant that, if seriously injured, they received compensation which covered **all** their care and medical expenses. **vs** Percentage of car insurance premium holders who would prefer to pay **less** for car insurance even if it meant that, if seriously injured, they received compensation which only covered **part** of their care and medical expenses.

Source : YouGov polling commissioned by APIL



are ineffective. This analysis found that the number of complaints received by the ICO about personal injury calls and texts grew by 22 per cent between 2014 and 2016. 26,056 such complaints were made in 2016 – an average of 71 every day.

Litigants in person and the small claims court

With the Government arguing that claims caught by an increased small claims limit would not require legally qualified professionals, APIL commissioned YouGov to gather the views of the public. This polling demonstrated that injured people would find it difficult to claim compensation successfully without help from a legal professional:

- If they were injured as a result of someone else’s negligence, less than one in five people would be happy to pursue a claim in the small claims court without the help of a lawyer.
- Over two thirds of people with experience of making

a personal injury claim said they would always use solicitors and legal professionals to represent them in court.

- Just six per cent of all adults are confident that an insurer would offer them the correct amount of compensation for their injury if they didn’t have a lawyer helping them.
- Two thirds of people who have made a personal injury claim think they would find it difficult to negotiate a fair settlement with a defendant.

Personal injury claims and insurance premiums

Throughout the year, APIL has produced research which has challenged the supposed link between personal injury claims and insurance premiums:

- APIL found that there is no positive correlation between bodily injury claim costs and insurance premiums. Between 2013 and 2016 the average

motor premium increased by eight per cent, despite a 13 per cent fall in the cost of motor-related bodily injury claims. There is no basis for the argument that an increase in the discount rate, or introduction of a tariff for whiplash injuries, will result in lower car insurance premiums.

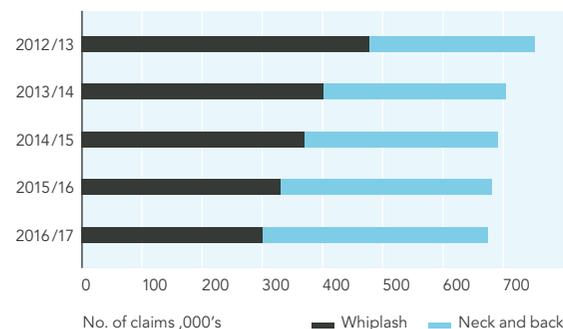
- According to the Association of British Insurers, “UK motorists pay some of the highest premiums in the EU”. Using data published by the insurance industry, APIL found that that the UK’s expenditure on motor-related bodily injury claims is the second lowest of the EU’s five largest member states. In the UK, this expenditure represents 0.19 per cent of GDP, compared to 0.26 per cent in Italy, 0.25 per cent in France and 0.22 per cent in Spain.

Clinical negligence claims: fixed costs

A range of NHS Resolution data was analysed to support APIL’s response to the Department of Health’s

Neck, back and whiplash RTA claims recorded by the Compensation Recovery Unit (CRU)

Source : CRU response to APIL FOI request



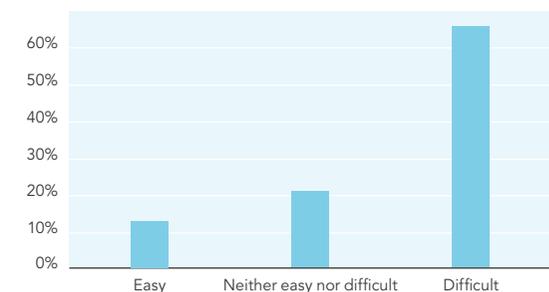
Number of reported patient safety incidents in England resulting in death

Source : APIL analysis of NHS improvement data



How easy do you think you would find it to negotiate a fair settlement with a defendant? Results of YouGov polling of personal injury claimants

Source : YouGov polling



consultation on fixed costs in clinical negligence claims:

- APIL estimated that, as a result of the LASPO reforms, NHS Resolution saved over £41 million on claimant legal fees for clinical negligence claims closed or settled in 2015/16.
- The time taken by NHS Resolution to settle successful clinical negligence claims under £10,000 increased by almost a quarter (23 per cent) between 2012/13 and 2015/16. Over the same period, there was an 11 per cent increase in the time taken to settle clinical negligence claims valued at £10,000 - £25,000.

NHS Resolution and mediation

In October, the chief executive of NHS Resolution suggested that claimant lawyers were to blame for the low number of clinical negligence claims which are mediated. However, a response to an APIL freedom of information request revealed that NHS Resolution did not have the evidence to support this claim. NHS Resolution admitted that it does not routinely record the number of mediation offers made, accepted or declined by it or by claimants.

CONFERENCES AND TRAINING

APIL ran 70 training courses and three one-day conferences this year. The training reached 1,959 delegates in total.

APIL continues to present a full range of CPD training for members who specialise or wish to specialise in particular areas of work. Our 'running a brain injury case – the fundamentals' course has been particularly successful, with 61 delegates attending in two locations, as was the series of clinical negligence courses which cover varying levels of expertise. Other successes included asbestos training, anatomy and the spring and autumn series of personal injury updates which ran 28 times. Some courses, including 'training



Membership services team

the trainers,' were completely sold out. In addition, 32 courses were delivered in-house this year.

We ran 36 highly topical webinars, along with four complimentary quarterly members-only webinars. The number of webinars has been increasing annually as they become more popular. Webinars are presented from APIL's well-equipped office in Nottingham where functionality is assured and production is cost-effective.

Working with our trainers

In mid-July, APIL organised a trainers' day. Current and potential trainers met with APIL EC and staff to discuss the future direction of APIL's training programme, increase our pool of speakers and

identify any gaps within our current training offering. The day also included a 'training for the trainers' session on expectations, developing course materials, using PowerPoint, along with the dos and don'ts of presenting webinars.

Annual conference 2017

A total of 319 attendees, comprising 156 delegates, 43 speakers, 26 sponsor representatives, and 94 exhibitors attended the conference at the Celtic Manor this year. The principal sponsor was Smith & Williamson.

Delegates enjoyed a variety of seminars and plenary sessions, in particular the 'Life after injury' presentation delivered by clients, Ed and Caroline Buckley.

During the conference we ran the hashtag #APILAC2017 on Twitter receiving phenomenal support. The hashtag was used 1,263 times over the course of the two days and tweets covered legal issues, marketing, and reviews of the conference.

APIL advanced brain and spinal cord injury conference 2017

Our fourth advanced brain and spinal cord injury conference at the Chesford Grange Hotel, Kenilworth was attended by our largest audience to date and we received outstanding feedback from the 122 delegates. The conference was supported with a full exhibition of 23 stands and principal sponsorship from Burcher Jennings.

APIL clinical negligence conference 2017

APIL's 2017 clinical negligence conference returned to the Hilton Metropole at Brighton at the beginning of October. The theme this year was obstetrics and gynaecology and proved to be the largest event of this kind to date: 261 delegates, 19 speakers and 16 sponsor representatives. There were 29 exhibition stands, including sponsors, bringing the total number of attendees to 354.

Charity golf day 2017

This event took place on the Twenty Ten course, prior to the annual conference at the Celtic Manor. Despite the dreadful weather, the charity golf day was well received by the 60 players and 15 teams. The event was sponsored by Speed Medical, and APIL's president chose the benefiting charity, Reach, which helps children with upper limb differences live life without limits. £1,500 was donated from the proceeds of the day.

Training and accreditation committee

During the year, the terms of reference were reviewed for the committee and a new EC chair was appointed.





The committee met four times in the year, reviewing criteria for the accreditation scheme and making recommendations for the APIL training programme.

GROUPS

In order to encourage membership engagement and attendance at meetings of the groups, APIL's executive committee established a working party to review and revitalise them. While 48 group meetings had been planned this year, six were cancelled due to poor attendance numbers. Three meetings ensued, with EC members, coordinators, secretaries and staff agreeing a number of actions which were worked on throughout 2017. A total of 17 group elections took place this year, some of which were contested.



Annual conference, 2017

STATISTICS

MEMBERSHIP

At the start of 2017, there were 3,533 members, comprising 3,418 paying and 135 complimentary members. A target of 3,300 paying members was set for 2017. This allowed for a slight decline in membership figures, reflecting the anticipated personal injury climate this year and previous attrition rate.

The target was almost met, falling short by just 19 members.

APIL continued to offer complimentary memberships to larger firms in recognition of their financial support throughout the year. 125 were awarded to three top firms within APIL. In addition, six students were enrolled for web membership only, along with 21 honorary life subscriptions:

Breakdown by category (including complimentary memberships)

as at 31 December 2017

Academic members	9
Associate members	75
Barrister members	55
Honorary members	21
Junior Barrister member	2
Non-practising member	29
Overseas members	83
Paralegal members	170
Practitioner members	2,962
Student members	2
eStudent members	6

3,414

Total paying members (1 Jan to 31 Dec 2017)	3,281
Archived paying members (left firm or no longer doing PI work) (2 paralegals, 17 practitioners)	19
Live memberships	3,262
Complimentary members	152

Total as at 31 December 2017 3,414

Throughout the Autumn, visits were made to a number of firms by APIL president Brett Dixon and vice president Gordon Dalyell, to discuss APIL's future strategic direction and to gain specialist input from individual members. In addition, a structure was established providing corporate membership deals for medium-to large sized practices.

Members

Joining between 1 January and 31 December 2017

Academic members	0
Associate members	25
Barrister members	24
Junior Barrister member	1
Non-practising member	1
Overseas members	5
Paralegal members	59
Practitioner members	322*
Student member	1
eStudent members	6

* 4 subsequently archived

444 (440)

Renewals

A total of 3,510 renewal notices were sent to members in February, along with 19 honorary memberships. By the end of December, following a number of reminders and calls to non-renewing members, 2,984 had renewed and 14 were archived: an attrition rate of 14.99 per cent, compared with a rate of 18.3 per cent in 2016.

ACCREDITATION

Individuals

as at 31 December 2017

Accreditation

Litigators	134
Senior litigators	662
Fellows	129
Senior fellows	9
Specialist counsel	6

Accredited 940

Senior litigator emeritus	16
Fellows emeritus	15
Senior fellows emeritus	3
Non-accredited	2,443

Percentage accredited eligible members 29.96%



The Apil team

Accredited specialists and assessors

	Specialists	Assessors
Accidents & Illnesses Abroad	7	6
Asbestos Disease	56	20
Brain Injury	50	24
Clinical Negligence	43	23
Occupational Disease	55	18
Spinal Cord Injury	11	8

	Specialists	Assessors
Totals 2017	222	99
Totals 2016	159	94
Totals 2015	116	83
Totals 2014	105	80
Totals 2013	69	57

In-house accredited branches of firms	62
External training providers	47
Corporate accredited branches of firms	161

New competence criterion

At the beginning of the year APIL met with corporate accredited firms in Manchester and London to introduce the new personal competence criterion, to review the benefits of accreditation and to discuss further opportunities for firms that could be developed through the accreditation scheme in future.

Individual monitoring

Individual accredited members are monitored by submission of their training logs and revalidation of accredited status. 102 people revalidated or upgraded

their accreditation out of the 131 that were due: 77.9 per cent. Of the 22.1 per cent who failed to revalidate, this was mainly due to no longer being a member, maternity leave, or no longer taking on personal injury work.

Corporate monitoring

Each accredited office reaccredits annually and a number of firms are randomly selected for monitoring. This is carried out through a site visit by two APIL appointed assessors; a lay assessor and a practitioner.

Following the introduction of the new criterion to monitor personal competence throughout the firm from the beginning of January 2017, two meetings of all corporate assessors also took place to review the format of site visits: each visit is now focussed on the quality of work undertaken, rather than the systems and processes carried out within firms. As a result, recommendations were made as to how the corporate criteria would need to be amended, along with the 'Guidance Notes on Best Practice' issued to the firms.

Monitoring of in-house accredited firms and other training providers

The quality of in-house education continued to be checked on a quarterly basis.

Other training organisations which apply for accreditation in advance of their events, provide full details of speakers and content, and submit their course materials upon request. All materials for accredited personal injury updates are monitored in advance of accreditation being granted.

Social media for accredited members

The number of followers for the @pisppecialists Twitter account continues to grow and stood at 905 at the end

of the year. Two Facebook accounts have also been created, one for members - @APILmembership, the other for injured people - @AccreditedPersonal InjuryLawyers, celebrating achievements and steering people to APIL guidance and accredited lawyers.

Public enquiries

A new position was created to deal with an increasing number of enquiries from members of the public. APIL's Public Enquiries Administrator is responsible for co-ordinating and responding to enquiries from members of the public seeking an accredited lawyer to help with their claim. The role also involves following up on enquiries to ensure that members of the public have received a good service and ensuring that the information that we hold on accredited members is accurate.

Since the appointment at the end of October, there have been a total of 288 enquiries (with 110 of those being directly transferred by telephone to a firm). These enquiries can be broken down as follows:

Method of enquiry

Lawyer profile webpage	40
Apil homepage	74
Chat	13
Email	6
Postal	1
Telephone	154
Total	288

Enquiries emanate from a number of different sources, the main sources being Civil Legal Advice and CABx.

Attendance at executive committee meetings

January – December 2017 (maximum of seven meetings)

Executive Committee

Brett Dixon ^a Smith Jones Solicitors, Burnley	7
Gordon Dalyell ^b Digby Brown LLP, Edinburgh	7
John McQuater ^c Atherton Godfrey LLP, Doncaster	7
Nigel Tomkins ^d Freeths LLP, Nottingham	6
Neil Sugarman ^{e, f} GLP Solicitors, Bury	6
David Bott, Bott & Co, Wimslow	5
Cenric Clement-Evans ^{g, h} NewLaw Solicitors, Cardiff	3
Bridget Collier Fieldfisher, Manchester	7
Colin Ettinger Irwin Mitchell LLP, London	6
Grant Evatt Alma Law, Andover	5
Stephen Glynn ^{h, i} 9 Gough Square, London	3
Jill Greenfield FieldFisher, London	6
Martin Hanna ^{g, h} Francis Hanna & Co, Belfast	1
Claire Hodgson SC Law, Harrow	5
Michael Imperato ^{j, k} Watkins & Gunn, Cardiff	4
Oonagh McClure ^{j, k} Thompsons NI, Belfast	3
Sharham Sharghy 9 Gough Square, London	2
Suzanne Trask ^{j, k} Bolt Burdon Kemp, London	6

Robert Webb HSR Law, Gainsborough	5
Jonathan Wheeler ^{h, l} Bolt Burdon Kemp, London	2

- a Elected as president at AGM 18 May 2017
- b Elected as vice-president at AGM 18 May 2017
- c Re-elected as secretary at AGM 18 May 2017
- d Re-elected as treasurer at AGM 18 May 2017
- e Post as president ended at AGM 18 May 2017
- f Post as immediate past president commenced at AGM 18 May 2017
- g Did not stand for re-election
- h Out of a possible three executive meetings prior to AGM
- i Was not re-elected at AGM 18 May 2017
- j Elected at AGM 18 May 2017
- k Out of a possible four meetings post-election at AGM
- l Post as immediate past president ended at AGM 18 May 2017.

EXPERTS

By the end of the year we reached 594 experts, just six short of the 600 year-end target. This comprised 272 standard and 322 enhanced listings. The target for enhanced listings was over-budget by 22 experts.

2016	656 experts
2015	726 experts
2014	744 experts
2013	767 experts

A total of 12,076 searches of the database were carried out online and manually in 2017, compared with 13,690 in 2016 (decrease of 13.37%).

NIGEL
TOMKINS

A grayscale portrait of Nigel Tomkins, a middle-aged man with glasses, wearing a dark suit jacket over a striped shirt. The background is a light, neutral color.

FINANCIAL REPORT

As I come to end of my third and final term as APIL Treasurer, I am pleased to report that the association remains in a healthy state financially.

Head of Finance, Ted Parsons retired in the spring of 2017. My thanks go to him for his years of service to APIL. I am extremely grateful to Accounts Officer Donna Humphries for keeping things running smoothly until Ted's replacement, Maria Holmes, took over as Head of Finance in June.

As was expected 2017 was an extremely difficult year for APIL and our members. We had hoped to achieve a surplus of approximately £4,000. However, at the year end it was necessary to provide for a liability which arose from tax and employer national insurance contributions not previously declared. This related to P11D health insurance benefits received by staff and amounted to £11.4K. That being so, I am pleased to report that the organisation made only a very small deficit of £12,255 in the full financial year.

The deficit comes against a backdrop of yet another year of uncertainty for our members due to the extensive Government reforms. Further shrinkage and consolidation in the personal injury sector has resulted in a lower turnover of £2,207,672 compared with £2,355,174 in 2016. This has resulted in reduced income of £1,111,074 (£1,222,542 2016) from our membership, accreditation and training activities.

Membership numbers have declined slightly and now stand at 3,404. It is hoped that the numbers will

now stabilise. Various measures have been put in place to encourage membership. APIL now provides a dedicated employee to accept potential client enquiries and support them in finding a suitably qualified lawyer. Legal firm visits have been made by our officers team highlighting the benefits of APIL membership and gaining insight into how members can be better served.

APIL Training remains the rock upon which APIL's finances are built. Residential conferences, in particular brain and spinal injuries, clinical negligence and the annual conferences were a major financial success. Conferences were heavily subscribed and well supported by exhibitors and sponsors. They delivered an operational contribution of £205,626, up £14,099 on 2017.

When compared to 2016, in 2017 we achieved cost savings of £45,100 across legal affairs, public affairs and operations including employee wages. The savings were due in large to the efforts of our employees. In spite of the reduction in total revenues our cash holdings have held up well with £1,155,342 in our bank accounts. APIL's reserves now stand at £1,094,470.

Finally, APIL made a £1,500 charity donation to Reach, a charity which helps children with upper limb differences live life without limits. The donation



APIL Training remains the rock upon which APIL's finances are built. Residential conferences, in particular brain and spinal injuries, clinical negligence and the annual conferences were a major financial success.



was made from funds raised at APIL's charity golf day at the Celtic Manor which preceded the annual conference.

As I come to end of my third and final term as APIL Treasurer, I am pleased to report that the association remains in a very healthy state. Financially 2017 was APIL's most challenging year during my six as Treasurer. We expect an extremely tough 2018. There may be even greater pressures on our major income streams. I am confident that the executive committee and our dedicated staff at the APIL office in Nottingham are prepared for, and up to, the challenges which lie ahead.

YEAR ENDED DECEMBER 31 2017

REPORT OF THE EXECUTIVE COMMITTEE



The Executive Committee present their report and the audited financial statements for the year ended 31 December 2017. This report also forms the report of the directors, as required under s.415 of the Companies Act 2006.

Principal activity

The principal activities of the company are to campaign for improvements in personal injury law on behalf of injured people; to promote, encourage and develop expertise in the practice of personal injury law by education and the exchange of information and knowledge.

Directors

The directors shown below have held office during the whole of the period from 1 January 2017 to the date of this report.

D E Bott	N L Sugarman	G Evatt
B Collier	N Tomkins	S Sharghy
G Dalyell	R Webb	Mrs J Greenfield
C B Ettinger	B Dixon	Ms C Hodgson
J E McQuater		

Other changes in directors holding office are as follows:

C Clement-Evans - resigned 18 May 2017
M Hanna - resigned 18 May 2017
J Wheeler - resigned 18 May 2017
S Glynn - resigned 18 May 2017
J M Imperato - appointed 18 May 2017
O M McClure - appointed 18 May 2017
S J Trask - appointed 18 May 2017

Financial risk management

The company's objective regarding financial risk management is to keep exposure of price risk, credit risk,

liquidity risk and cash flow risk to a minimum. The company makes sales on normal credit terms and manages the related risks through its credit control procedures. In the opinion of the executive committee the exposure of such risks has been assessed and at present deemed to be low and at an acceptable level for the company to continue to operate.

Qualifying third party indemnity provisions

The company maintains liability insurance for directors and officers as permitted by section 234 of the Companies Act 2006.

Provision of information to auditor

So far as each of the members of the executive committee are aware at the time the report is approved:

- there is no relevant audit information of which the company's auditor is unaware, and
- the members of the executive committee have taken all steps that they ought to have taken to make themselves aware of any relevant audit information and to establish that the auditor is aware of that information.

Statement of Directors' responsibilities

The directors are responsible for preparing the Report of the Directors and the financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial year. Under that law the directors have elected to prepare the financial statements in accordance with United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and applicable law). Under company law the directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the

state of affairs of the company and of the surplus or deficit of the company for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and accounting estimates that are reasonable and prudent;

The directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Statement as to disclosure of information to auditors

So far as the directors are aware, there is no relevant audit information (as defined by Section 418 of the Companies Act 2006) of which the company's auditors are unaware, and each director has taken all the steps that he or she ought to have taken as a director in order to make himself or herself aware of any relevant audit information and to establish that the company's auditors are aware of that information.

This report has been prepared in accordance with the provisions of Part 15 of the Companies Act 2006 relating to small companies.

On behalf of the board

J E McQuater

Director & Company Secretary

12 March 2018

ASSOCIATION OF PERSONAL INJURY LAWYERS
A COMPANY LIMITED BY GUARANTEE

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS



We have audited the financial statements of Association of Personal Injury Lawyers (the 'company') for the year ended 31 December 2017 on pages 36 to 39. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 'The Financial Reporting Standard applicable in the UK and Republic of Ireland' (United Kingdom Generally Accepted Accounting Practice).

This report is made solely to the company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in a Report of the Auditors and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.

In our opinion the financial statements:

- give a true and fair view of the state of the company's affairs as at 31 December 2017 and of its deficit for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law.

Our responsibilities under those standards are further described in the Auditors' responsibilities for the audit of the financial statements section of our report. We are independent of the company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern

We have nothing to report in respect of the following matters in relation to which the ISAs (UK) require us to report to you where:

- the directors' use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the directors have not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the company's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

Other information

The directors are responsible for the other information. The other information comprises the information in the Report of the Directors, but does not include the financial statements and our Report of the Auditors thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Opinion on other matters prescribed by the Companies Act 2006

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the Report of the Directors for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the Report of the Directors has been prepared in accordance with applicable legal requirements.

Matters on which we are required to report by exception

In the light of the knowledge and understanding of the company and its environment obtained in the course of the audit, we have not identified material misstatements in the Report of the Directors.

We have nothing to report in respect of the following matters where the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or

ASSOCIATION OF PERSONAL INJURY LAWYERS
A COMPANY LIMITED BY GUARANTEE

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS

- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit; or
- the directors were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies' exemption from the requirement to prepare a Strategic Report or in preparing the Report of the Directors.

Responsibilities of directors

As explained more fully in the Statement of Directors' Responsibilities set out on page 32, the directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the directors determine necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the directors are responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the company or to cease operations, or have no realistic alternative but to do so.

Our responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from

material misstatement, whether due to fraud or error, and to issue a Report of the Auditors that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at www.frc.org.uk/auditorsresponsibilities. This description forms part of our Report of the Auditors.

Jill Evenden

Senior Statutory Auditor for and on behalf of EBS
Chartered Accountants

Gothic House
Barker Gate
Nottingham
NG1 1JU
12 March 2018

YEAR ENDED DECEMBER 31 2017

INCOME STATEMENT

	Notes	2017 £	2016 £
Revenue		2,207,672	2,355,174
Cost of sales		943,325	1,018,577
Gross surplus		1,264,347	1,336,597
Administration expenses		1,285,290	1,326,330
Operating (deficit) / surplus	4	(20,943)	10,267
Interest receivable and similar income		8,848	11,388
(Deficit) / surplus before taxation		(12,095)	21,655
Tax on (deficit) / surplus		160	6,599
Deficit / surplus for the financial year		(12,255)	15,056

The notes form part of these financial statements

YEAR ENDED DECEMBER 31 2017

BALANCE SHEET

	Notes	2017 £	2016 £
Fixed assets			
Property, plant and equipment	6	501,325	510,446
Current assets			
Debtors	7	125,933	115,956
Cash at bank		1,155,342	1,198,956
		1,281,275	1,314,912
Creditors			
Amounts falling due within one year	8	609,446	602,446
Net current assets		671,829	712,466
Total assets less current liabilities		1,173,154	1,222,912
Creditors			
Amounts falling due within one year	9	(76,014)	(114,215)
Provisions for liabilities		(2,670)	(1,972)
Net assets		1,094,470	1,106,725
Reserves			
Income & expenditure account	10	1,094,470	1,106,725
Members' funds		1,094,470	1,106,725

The financial statements have been prepared in accordance with the provisions of Part 15 of the Companies Act 2006 relating to small companies.

The financial statements were approved by the Board of Directors on 12 March 2018 and were signed on its behalf by:

Nigel Tomkins
Director & Treasurer

ASSOCIATION OF PERSONAL INJURY LAWYERS
A COMPANY LIMITED BY GUARANTEE

NOTES TO THE FINANCIAL STATEMENTS

1. STATUTORY INFORMATION

Association of Personal Injury Lawyers is a private company, limited by guarantee, registered in England and Wales. The company's registered number and registered office address can be found on the Company Information page.

2. ACCOUNTING POLICIES

These financial statements have been prepared in accordance with the provisions of Section 1A "Small Entities" of Financial Reporting Standard 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland" and the Companies Act 2006. The financial statements have been prepared under the historical cost convention.

The financial statements are prepared in accordance with the Financial Reporting Standard for Smaller Entities (effective April 2008). The particular accounting policies adopted are described below. The profit and loss account has been replaced by an income and expenditure account as the Executive Committee considers that this statement is more appropriate given the nature of the company's activities.

Income

Membership subscriptions to the association cover a period of twelve months to 31 March each year. Subscriptions received during the year have been credited to the income and expenditure account, subject to the deferral of three months of each subscription, representing that portion attributable from 1 January 2018 to 31 March 2018. Other income represents income from conferences, training events and publishing, and is recognised when the

contractual obligations of the service for which the receipt relates have been delivered.

Tangible fixed assets

Depreciation is provided at the following annual rates in order to write off each asset over its estimated useful life.

Freehold property – 2% on cost

Fixtures and fittings – 20% on cost

Taxation

Taxation for the year comprises current and deferred tax. Tax is recognised in the Income Statement, except to the extent that it relates to items recognised in other comprehensive income or directly in equity.

Current or deferred taxation assets and liabilities are not discounted.

Current tax is recognised at the amount of tax payable using the tax rates and laws that have been enacted or substantively enacted by the balance sheet date.

Deferred tax

Deferred tax is recognised in respect of all timing differences that have originated but not reversed at the balance sheet date.

Timing differences arise from the inclusion of income and expenses in tax assessments in periods different from those in which they are recognised in financial statements. Deferred tax is measured using tax rates and laws that have been enacted or substantively enacted by the year end and that are expected to apply to the reversal of the timing difference.

Unrelieved tax losses and other deferred tax assets are recognised only to the extent that it is probable that they

will be recovered against the reversal of deferred tax liabilities or other future taxable profits.

Pension costs and other post-retirement benefits

The company operates a defined contribution pension scheme. Contributions payable to the company's pension scheme are charged to profit or loss in the period to which they relate.

Interest receivable

Interest receivable is credited to the income and expenditure account on an accruals basis.

Leases

Operating lease rentals are charged against income in equal amounts over the lease term.

3. EMPLOYEES AND DIRECTORS

The average monthly number of employees during the year was 23 (2016 - 25).

4. OPERATING SURPLUS

The operating deficit (2016 - operating surplus) is stated after charging:

	2017	2016
	£	£
Depreciation - owned assets	15,948	16,789

5. MEMBERSHIP SUBSCRIPTIONS

	2017 No	2016 No	2017 £	2016 £
Practitioner members	2908	3137	628,180	663,373
Student members	6	12	120	330
Paralegal members	158	155	18,940	17,815
Academic members	8	7	800	665
Overseas members	82	94	8,855	9,913
Associate members	70	45	10,755	6,635
Barrister	59	0	9,075	0
Honorary members	105	0	0	0
Total	3,404	3,852	678,360	700,011
Add deferred income brought forward			174,309	185,309
Less deferred income carried forward			(168,440)	(174,309)
Total			684,229	711,011
Corporate accreditation income received in the year			56,325	63,422
Add deferred income brought forward			24,998	31,218
Less deferred income carried forward			(20,618)	(24,988)
			60,705	69,652
			744,980	884,697

6. PROPERTY, PLANT AND EQUIPMENT

	Land and buildings £	Plant and machinery £	Totals £
Cost			
At 1 January 2017	577,135	60,876	638,011
Additions	-	7,197	7,197
Disposals	-	(27,673)	(27,673)
At 31 December 2017	577,135	40,400	617,535
Depreciation			
At 1 January 2017	80,800	46,765	127,565
Charge for the year	11,542	4,406	15,948
Eliminated on disposal	-	(27,303)	(27,303)
At 31 December 2017	92,342	23,868	116,210
Net book value			
At 31 December 2017	484,793	16,532	501,325
At 31 December 2016	496,335	14,111	510,446

7. DEBTORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

	2017 £	2016 £
Trade debtors	53,340	89,771
Other debtors	72,593	26,185
	125,933	115,956

8. CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

	2017 £	2016 £
Trade creditors	58,502	112,194
Taxation and social security	66,355	6,224
Other creditors	484,589	484,028
	609,446	602,446

9. CREDITORS: AMOUNTS FALLING DUE AFTER MORE THAN ONE YEAR

	2017 £	2016 £
Other creditors	76,014	114,215

10. RESERVES

Income & Expenditure Account	
At 1 January 2017	1,106,725
Deficit for the year	(12,255)
At 31 December 2017	1,094,470

11. RELATED PARTY TRANSACTIONS

During the year the following amounts have been paid to directors either directly or to companies controlled by them, All transactions are at arm's length and are on normal commercial terms.

	2017 £	2016 £
N Tomkins	1,062	53,099
J McQuater	95,694	67,794
C Clement - Evans	4,266	5,094
B Dixon	54,342	19,647
N Sugarman	1,862	4,448
Field Fisher*	13,126	-
C Ettinger	860	-

* company of which J Greenfield is a director

12. REALLOCATION COSTS 31 DECEMBER 2016

At the balance sheet date 31 December 2017 the company have reallocated expenses in the profit and loss account for year ended 31 December 2016. The reallocations have not amended gross or net profit.

13. SHARE CAPITAL

The company is limited by guarantee and does not have share capital. Every member of the Association undertakes to contribute such amount as maybe required (not exceeding £1) to the assets of the Association if it should be wound up.

14. ULTIMATE CONTROLLING PARTY

The company is limited by guarantee and has no shareholders. Under the constitution the Executive Committee is the ultimate controlling party.

15. NON ADJUSTING POST BALANCE SHEET EVENT

Since the end of financial year the executive committee has negotiated a severance package with the chief executive. At the date of these financial statements the total figure is unknown but is expected to be around £140,000.

YEAR ENDED DECEMBER 31 2017

DETAILED INCOME & EXPENDITURE ACCOUNT

	2017 £	2016 £
Turnover		
Membership and accreditation	841,166	906,034
Conference, SIGS and regional meetings	598,068	610,663
Training events	701,283	768,005
Publishing	67,155	68,805
Mediators	-	1,667
	2,207,672	2,355,174
Cost of sales		
Membership	20,824	24,695
Conference	392,442	419,136
Training events	407,087	429,418
Legal affairs and research	15,947	26,969
Publishing	70,619	65,298
Public affairs	36,386	50,503
Mediators	20	2,558
	943,325	1,018,577
Gross surplus	1,264,347	1,336,597
Other income		
Deposit account interest	8,848	11,388
	1,273,195	1,347,985
Expenditure		
Wages	799,087	770,336
Social security	91,012	80,922

	2017 £	2016 £
Expenditure cont.		
Pensions	48,693	40,442
Property costs	57,643	52,713
Insurance	1,614	7,895
Staff training	10,093	5,065
Telephone	19,831	26,758
Other costs	39,136	38,431
Travelling	6,850	3,967
IT costs	20,844	19,827
Executive committee	60,297	41,281
Strategic alliance	1,503	74,334
Printing, post and stationery	47,386	76,353
Legal and professional	43,283	47,092
Auditors' remuneration	4,500	4,500
Donations	1,500	1,921
Depreciation of tangible fixed assets	15,948	16,789
Profit/loss on sale of tangible fixed assets	-	(186)
	1,269,220	1,308,440
	3,975	39,545
Finance costs		
Credit card	8,473	8,419
Mortgage and interest	7,597	9,471
	16,070	17,890
Net (deficit) / surplus	(12,095)	21,655

2017 / ASSOCIATION OF PERSONAL INJURY LAWYERS

OFFICERS & EXECUTIVE COMMITTEE MEMBERS

BRETT DIXON / PRESIDENT
Smith Jones Solicitors
Burnley



JOHN McQUATER / SECRETARY
Atherton Godfrey LLP
Doncaster



GORDON DALYELL / VICE PRESIDENT
Digby Brown LLP
Edinburgh



JONATHAN WHEELER
Bolt Burdon Kemp
London



CENRIC CLEMENT-EVANS
NewLaw Solicitors
Cardiff



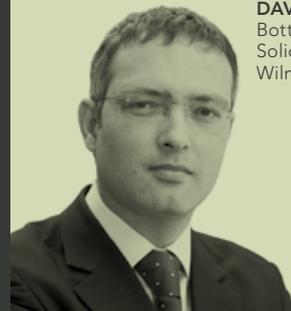
NEIL SUGARMAN / IMMEDIATE PAST PRESIDENT
GLP Solicitors
Bury



COLIN ETTINGER
Irwin Mitchell LLP
London



DAVID BOTT
Bott & Company
Solicitors Ltd
Wilmslow



BRIDGET COLLIER
Fieldfisher
Manchester



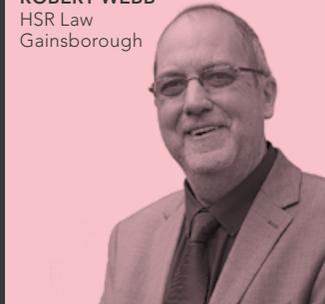
NIGEL TOMKINS / TREASURER
Freeths LLP
Nottingham



MARTIN HANNA
Francis Hanna & Co
Belfast



ROBERT WEBB
HSR Law
Gainsborough



SHAHRAM SHARGHY
9 Gough Square
London



GRANT EVATT
Alma Law Ltd
Andover



JILL GREENFIELD
Fieldfisher
London



MICHAEL IMPERATO
Watkins & Gunn
Llandaff



OONAGH MCCLURE
Thompsons
Belfast



CLAIRE HODGSON
SC Law
Harrow



STEPHEN GLYNN
9 Gough Square
London



SUZANNE TRASK
Bolt Burdon Kemp
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