



**Re: Ross Clarke comment *Daily Mail* 12 January 2012 - 'The whiplash racket'**

To claim that a solicitor in today's society is likely to be "shady figure" who cold calls people to pressure them into claiming redress is not only utterly inexcusable, but it is also wholly inaccurate.

Solicitors are prevented from cold calling by the robust regulations under which they operate. To suggest that this dubious practice is widespread among lawyers is completely misleading.

The House of Commons transport committee's recommendation for an investigation into cold calling is in fact long overdue. It is high time that insurers and others who plague members of the public with cold calls are subject to the same rigour as solicitors.

But while much of the committee's report is welcome, the priority must remain for innocent victims of genuine injury, including whiplash injuries, to have access to the full and fair compensation they need.

Whiplash can be extremely painful and can often linger, leaving some people with chronic conditions. It is unfair to demonise people pursuing their legitimate right to compensation for such an injury.

The burden of proof lies with the victim and insurers have every opportunity to challenge the findings of professional medical practitioners, should they wish to do so.



Instead, many insurers choose to pay claims without asking for a medical report at all. They are quite prepared to pay compensation, without waiting for any medical evidence, just to get rid of potential claims as quickly as possible.

To then turn around and complain about the number of claims is not only cynical, but is a classic example of why the transport committee has said this week the insurance industry should abandon sharp practices.

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