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‘NO WIN NO FEE’ BILL HITS THE WRONG TARGET, SAY LAWYERS

Legislation going through Parliament to change ‘no win no fee’ will not address problems in the personal injury system, said a coalition of lawyers today.

The Legal Aid, Sentencing and Punishment of Offenders Bill (LASPOB) will simply be a charter for the insurance industry to print money at the expense of injured individuals, said the group

“We recognise, and share, some key concerns about abuses of the compensation system,” said Deborah Evans, chief executive of the Association of Personal Injury Lawyers, on behalf of the group.

“But forcing people who’ve been injured, or the families of people who have died, to pay their own legal costs when someone else has caused the needless injury is not only unjust, but it’s hitting the wrong target.”

Concerns have also been voiced by the Motor Accident Solicitors Society (MASS) whose Chair, Donna Scully, said “the Government has completely missed the target here. Worse still, it has hit the wrong targets namely the seriously injured, those injured at work or in a public place and, indeed, all genuine claimants.”

Deborah Evans continued: “What people are worried about, and what the Government has quite rightly criticised, is the explosion of spam text messages and cold calls from insurers and claims management companies, persuading people to claim compensation even if they haven’t been injured.

“People are right to be offended by aggressive and unrealistic advertising, and they are right to be concerned about fraud and criminal activity which is responsible for pushing up insurance premiums.

“But all this Bill will do is cut off genuine claimants from their right to full and fair justice. The idea that this ‘one size fits all’ approach is illogical, ill-conceived and unjust.”



The coalition has called for personal injury clauses to be scrapped from the Bill in favour of:

- a ban on the passing on of injured people's private details without their explicit consent, on every occasion;
- an extension of the strict ban on cold calling which currently applies to solicitors. Insurers and claims management companies must be held to the same rigorous standards as solicitors;
- tighter regulation of personal injury advertising to prevent misleading, exploitative and distasteful advertising;
- a strict duty on insurers to report suspicions of fraud to claimant lawyers as soon as they arise: sharing information in insurers' possession is the surest way to tackle fraud.

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For further enquiries/interviews, please contact in the first instance:

Lorraine Gwinnutt
Head of Communications, APIL
Tel: 0115 943 5404
Email: lorraine.gwinnutt@apil.org.uk

Chris Birkle
Press & Communications Officer, APIL
Tel: 0115 943 5409
Email: chris.birkle@apil.org.uk

- APIL (Association of Personal Injury Lawyers) is a not-for-profit organisation whose members campaign for improvements in the law to help people who are injured or become ill through no fault of their own.
- Visit the association's website at www.apil.org.uk.