



5 September 2012

NEW WHIPLASH RESEARCH QUASHES CLAIMS MYTH

Lawyers have called for 'sanity' in the national whiplash debate after claims dropped by 24,000 in the last year.

And an independent survey, commissioned by the not-for-profit Association of Personal Injury Lawyers (APIL) also found that almost 40 per cent of people who have suffered a whiplash injury have never claimed compensation for it.

The new information "injects some sanity into a national debate characterised by overblown and inaccurate rhetoric," said APIL president Karl Tonks.

"The Government appears to have been persuaded by the insurance industry that the answer to rising car insurance premiums lies in 'tackling' whiplash claims, but the Government's own figures show there has been a drop in these claims in the last year," he said.

"Before the Government embarks on a potentially damaging reform agenda, it's critical that ministers have a clear picture about whiplash, and that they recognise that most injured people are genuine and therefore have every right to expect proper access to justice when they need it."

The research reveals new information, including:

- Only one in a hundred people suffered a whiplash injury in the past year
- One in five people who have had a whiplash injury suffered symptoms for more than a year
- 90 per cent of sufferers are diagnosed by a medical professional

- Almost 30 per cent of people were encouraged to claim compensation by insurance companies

Case study

One person who has suffered long-term symptoms is Ann Cooper (71) whose Renault Clio was hit at low speed by a 4x4 near her home in Malvern, Worcestershire, last spring.

Ann suffered more than 12 months of neck and lower back pain and restricted mobility, as well as nine months of psychological symptoms in the form of fear of travel and gastrointestinal disorders (IBS) from stress. She calls whiplash 'the silent injury'.

Ann had previously led an active lifestyle in her retirement, regularly swimming 40 lengths of her local pool, as well as hill-walking and practising yoga. "A person who has internal, unseen injuries could suffer more than someone with something as obvious as a broken leg," she said. "Just because it can't be seen doesn't make it any less painful.

"I've always been active and an independent woman," she went on. "But all of a sudden I was reduced to this wreck." Ann is still receiving physiotherapy for her injuries.

"People like Mrs Cooper are not the problem here," said Tonks. "They don't ask to be injured and they should not be vilified for bringing legitimate claims for compensation to help them get their lives back on track."

The independent survey also found that almost 30 per cent of respondents were encouraged to claim compensation by insurance companies.

"Instead of pointing the finger at everyone else, insurers really need to stop and look in the mirror," said Tonks. "They need to stop paying compensation without even asking for a



medical report. And they need to start sharing the information they hold about fraudsters to help claimant lawyers identify them early in the process.

“Of course there will always be people who try to cheat the system. That’s obviously wrong, and we need a universal commitment to working to reduce fraud in whiplash cases,” he said. “That’s why we have produced a ten-point plan which could do just that and which we hope to discuss with the Government.

“But it’s even more important to stand firm against any move to put barriers in the way of the majority of people who have genuine injuries and who need to make genuine claims.”

- Ends -

Notes for editors:

- Survey undertaken by Canadean Consumer research via its online omnibus panel between June and August 2012.
- To see a copy of the ten point plan, visit www.apil.org.uk/whiplash
- APIL (Association of Personal Injury Lawyers) is a not-for-profit organisation whose members are dedicated to campaigning for improvements in the law to help people who are injured or become ill through no fault of their own.
- For interviews and more information, contact Chris Birkle, press and communications officer, t: 0115 943 5409, m: 07808 768623, e: chris.birkle@apil.org.uk
- Visit the association’s website at www.apil.org.uk
- Follow us on Twitter, @APIL, here: <https://twitter.com/APIL>