

STRICT REGULATION NEEDED TO PROTECT INJURED PEOPLE FROM INSURERS' PRESSURE TACTICS

Injured people should not be pursued and pressured by third party insurers who offer them upfront cash to "deal direct," the president of the Association of Personal Injury Lawyers (APIL) warned today.

Speaking at a conference held by the Forum of Insurance Lawyers (FOIL), Richard Langton called for strict guidelines to protect claimants who are cold called by insurance lawyers attempting to 'capture' the claim.

Asked about his views on the future of personal injury litigation, Langton said regulation would have an increasingly large role.

"We want proper regulation by the Law Society of lawyers; proper regulation of claims management companies, and proper regulation of insurers," he said. "I hope all those who purport to act in the vulnerable claimant's best interests are subject to similar controls."

Langton said change was on the horizon following eighteen months of discussions between the DCA and stakeholders including the Civil Justice Council, claimant and defendant lawyers and consumer groups, on streamlining the compensation process. The DCA's imminent consultation paper will produce a "brave new world of the 'super' protocol," he said, "with quick notification, quick admission, quick rehabilitation and quick settlement."

Langton added that it would only work, though, if insurers put more resources into their operations.

"Our research shows that in an astonishing 63 per cent of cases insurers do not comply with the existing three month timetable under the civil procedure rules. A step change in efficiency is going to be required. Making quicker binding admissions of liability within a month will take skill and experience."

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