

**AP322**

**15 January, 2007**

## **GOOD INTENTIONS NOT ENOUGH TO IMPROVE ABI'S CODE FOR TRACING INSURERS**

Changes to the Association of British Insurers (ABI) code\* which aims to help industrial disease victims trace former employers' insurers are finally being discussed, after the code's worst performing year since its inception.

But personal injury lawyers have warned that good intentions alone will not be enough and only a full commitment to improving the system will enable victims dying from diseases such as mesothelioma, to claim their compensation.

"Last year insurers traced only 23 per cent of the policies referred to them – the lowest ever success rate since the code's inception in 1999," said Martin Bare, vice president of the Association of Personal Injury Lawyers (APIL). "This leaves a significant number of victims without any compensation, which is wholly unacceptable."

Martin says the key to speeding up the process is if the ABI tells solicitors which insurers have not bothered to respond to tracing requests.

"It is absolutely crucial that this happens as it will really complement all the other work being done to speed up the process," he said. "While we are pleased the ABI has agreed to at least consider doing this, we need proper commitment rather than words."

Although employers' liability insurance has been compulsory for the past 35 years, many victims suffering from long tail diseases were unable to trace old policies so were unable to pursue a claim.

"The code was introduced to give these victims a fighting chance of claiming compensation long after their former employer had ceased trading," said Martin. "But there are still many sufferers who are being left out in the cold."

This third Government review statement outlines measures to improve the code's success including an undertaking by the ABI to introduce a new pilot system early this year to improve the code's speed and efficiency, and ensure traces

have the information necessary to proceed. The ABI has also agreed to review the performance of the code on a monthly basis.

“It is imperative that information on successful traces is pooled in a central database to cut down on time and speed things up,” said Martin. “It makes complete sense to share information – the ABI has agreed to explore this but again we need action rather than words to ensure improvements are made. We are encouraged the ABI has agreed to a dedicated helpline for any queries or problems with the tracing, as this will undoubtedly help the system run more smoothly.

“We really hope the ABI will show a complete commitment to all the potential improvements outlined in the review, so that victims stand a better chance of receiving the compensation they so desperately need.”

-ends-

**Notes to editors:**

- Code of Practice for Tracing Employers' Liability Compulsory Insurance (ELCI) Policies

A full copy of the review statement can be found at:

<http://www.dwp.gov.uk/publications/dwp/2006/elci/cop-telcip-1103-1005.pdf>

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