

## **Reasons why you should use an independent personal injury specialist firm**

- You do not have to use your insurer's choice of solicitor even if they indicate that you have no choice in the matter. We often find that client's who wish to instruct us have an insurer who objects, usually because they want the work to be done by a solicitor on their panel, who is usually a cheaper, lower grade of fee earner and often somebody acting under the banner of solicitor but who is not in fact qualified.
- An EU Council Directive implemented in the UK in the Insurance Companies (Legal Expenses Insurance) Regulations 1990 states, in summary, that if you have legal insurance you have the freedom to choose your own solicitor in any proceedings.
- The Regulations do not apply to insurance policies providing civil liability cover for instance if somebody gets injured in your home or on your property, travel insurance and car insurance.
- But if you have legal expenses cover on your household policy for example covering other civil disputes then you can choose your own solicitor once proceedings are begun.
- Although the insurance company can insist on their own solicitor until proceedings are issued, they are unlikely to do so if you quote the Regulations to them and confirm the Court of Appeal and the Financial Ombudsman Service have both stated that in complex cases they would expect you to be able to use your own solicitors from the start.
- This information should be expressly and clearly set out in your policy, however, it may be part of the small print which insurers do not expect you to read.
- It is therefore better for you to consult a local independent firm who will act solely in your best interests unlike insurers panel solicitors whose interests are adverse to yours as they have an obligation to the insurers who instruct them which will often mean that they are not free to carry out the claim in the best way possible for you. It is likely that you will be tied into certain insurance policies and medical report agencies whereas we can discuss with you different ways of funding the claim which will not cost you anything and we are free to choose which medical experts or insurance products are most suitable to your claim.
- The other main benefit of instructing ourselves is that you will have the same well qualified specialist personal injury lawyer dealing with your case from start to finish who will know your case in detail and you will be able to speak to such solicitor either by telephone or by coming into the office for a face to face consultation which we would normally advise to be the best way to proceed with your claim.
- Previous experience shows that some of our clients have previously used insurers panel of solicitors as they were not aware that they had a choice but were disappointed with the service as they never met their solicitor and always spoke with a different person every time they telephoned their solicitors and generally felt that their claim was unimportant and that they were being passed from pillar to post unlike with ourselves who provide a friendly one-to-one service.
- It is likely that if you use an insurer's panel solicitor you will not always be dealing with a qualified solicitor and such solicitor will usually not be based in the same part of the country as yourself.