

news&views

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Appointments position company for continued growth

comercrawley has added another two high quality personal injury lawyers to its ranks with the recruitment of Mark Flack and Keely Dougan.

The company now has five qualified solicitors dealing exclusively with personal injury work at its strategically placed offices in Diss, Norfolk.

Mark Flack, aged 37, was formerly a partner at Kester Cunningham John and is a member of the Association of Personal Injury Lawyers. He has specialised in personal injury work for more than 10 years and now heads up **comercrawley's** fast track department, which deals with claims valued up to £100,000.



The recruitment of Mark Flack and Keely Dougan position **comercrawley** well for continued growth

'I've joined a modern forward thinking company'

Mark Flack

Mark said: "I'm raring to go and looking forward to new challenges. I've joined a modern forward thinking company - but will be working with people who have not lost the common touch, and put client care first and foremost."

With Mark having lived and worked in Bury St Edmunds for 17 years - and with the ties Ian Comer and Emma Crawley historically have with Norwich and Ipswich respectively - the company has a strong connections throughout the eastern region.

Ian Comer, Managing Director, said: "We

are delighted to have attracted a lawyer of Mark's quality - it says much for **comercrawley's** standing.

Emma Crawley echoed Ian's comments: "This is likely to be one of the most significant personal injury sector appointments in the eastern region in 2007, and positions us well for continued growth."

Keely Dougan, who joined the firm last September, works alongside Mark and has assisted in setting up the firm's new fast track department. "I've been here for more than six months and feel very settled at **comercrawley**," Keely said.

Prior to joining **comercrawley**, Keely was living and working in Nottingham, where she completed her law degree, followed by the Legal Practice Course at

Nottingham Law School.

Keely qualified as a solicitor in November 2000 and then spent more than six years with the same firm in Nottingham, specialising in personal injury law and debt advice.

'The move to comercrawley enables me to concentrate solely on personal injury cases'

Keely Dougan

"The move to **comercrawley** will enable me to increase my knowledge and experience by concentrating solely on personal injury cases," Keely added.

Keely is married to Jamie and the couple have a two-year-old son, Joel.

Choosing the right solicitor - an important decision

We are regularly asked whether a client has to use the services of a solicitor provided under the terms of a legal expense insurance policy or legal expenses scheme - or whether they are entitled to choose their own solicitor.

The most common example of this is where a client has a legal expense policy or scheme attached to their motor or household insurance policy.

Typically in these circumstances, when a claim arises the client will be offered the services of a solicitor nominated from the scheme's panel free of charge.

There are a number of important issues to consider when choosing your solicitor - and deciding whether or not to use a solicitor selected for you under such an arrangement - including:-

- You have **complete freedom** to

choose whatever solicitor you wish to act on your behalf.

- You should check to see whether the solicitor selected for you is under a legal expense insurance policy, or a scheme or arrangement not backed by proper insurance.
- You should **find out who will be dealing with your claim** and what level of qualification or expertise that person has.
- You should be aware that under such a scheme the solicitor selected would invariably be paying the

introducer of the work for the benefit of dealing with your claim.

- More often than not firms that operate under such schemes are **factory based law firms** where your claim may pass through the hands of several case handlers during its lifetime.

A case history

A claim that we recently concluded illustrates the potential pitfalls and difficulties in dealing with a faceless law firm appointed for you under the terms of a legal expense scheme.

'Mrs C' was involved in a nasty road traffic accident

'Mrs C' was involved in a nasty road traffic accident four years ago when

Website proves popular

The **comercrawley** website is proving to be an invaluable 'one stop shop' for people wanting to know about personal injury claims.

Written in plain English, www.comercrawley.co.uk, covers a host of topics in an easy-to-understand manner.

The 'No win, no fee' section explains the ins and outs of the 'conditional fee agreement', and points out pitfalls to potential claimants. Another section outlines the kind of incidents that can result in a claim - for example road crashes, accidents at work, and 'slip, trip or fall' accidents.

The FAQ section giving the answers to some frequently asked questions, and on the 'meet the team' page people can find out more about our lawyers.

Prospective clients can complete an online assessment form for advice about their claim - but for the less technologically minded we also offer free initial advice by letter, telephone and in person.



Comments on the content and ease of use of the website are most welcome.

she was living and working in Essex.

She suffered multiple soft tissue injuries and liability for the accident was accepted by the other side's insurance company. Mrs C had a Merseyside-based solicitor appointed for her under a legal expense scheme.

The injuries she suffered in the accident prevented... her ability to follow her intended career path.

Initially matters proceeded quite satisfactorily and some modest interim payments were obtained to cover the costs of physiotherapy treatment and some loss of earnings.

A year after the accident Mrs C moved to Norfolk, and at this time the conduct of her claim became unsatisfactory.

Her appointed solicitor never met or discussed the claim with her in any detail and in failing to do this overlooked a major part of her potential losses relating to damaged career prospects and loss of future earnings.

In particular, at the time of the

accident Mrs C was about to embark on a career as a social worker.

However, the injuries she suffered in the accident prevented, or at least significantly prejudiced, her ability to follow her intended career path. As a result, her solicitor failed to formulate a proper claim and the claim that was initially presented to the court was substantially under valued. Mrs C was then put under pressure to settle her claim for a few thousand pounds.

Fortunately, she refused to go along with this advice and sought a second opinion from us. 15 months (and a considerable amount of work) later the claim settled for in excess of £100,000.

Her solicitor failed to formulate a proper claim

In contrast to the way the original firm handled the claim, we had personal contact with the client, took the trouble to listen to what the client had to say - and then formulated a proper claim based on what the client's true losses were going to be. The future loss of earning claim alone was in excess of £60,000 - a point that had simply been missed by her former solicitors.

It is essential to have a solicitor that you can trust - one who will listen to you, and one who can give you the specialist advice that you need. Mrs C says: "With the legal expense appointed solicitors I felt that no-one was interested, no-one wanted to talk to me. I was a problem and they just wanted my case settled and out of the way at any price.

"I could not believe the difference when I changed to **comercrawley** who had been recommended to me. Suddenly I was important, I had someone who was prepared to listen and understand. Nothing was too much trouble.

"An individual's claim is very personal to them and I felt that **comercrawley** gave a very personal service that helped me feel dignified as well as listened to. I felt that the other solicitor regarded me as a number not a person and that took away my dignity."

'I could not believe the difference when I changed to comercrawley'

Mrs C

Welcome...

A warm welcome to three new starters at comercrawley.

Jo Lister (right in pic) and **Joannie Botwright** (left) have recently taken up secretarial positions with the company, and **Sue Hutson** (centre) has joined as a para legal.

...and congratulations

To **comercrawley** solicitor **Judith Cole** on the safe arrival of her baby boy (Dylan) - and secretary **Natalie Brown** who has also become a proud mum to a baby boy (Louis).



Reappointments confirmed

Ian Comer and **Emma Crawley** (pictured) have both received confirmation of their reappointment to the Law Society's specialist Personal Injury Panel. Both have been on the panel since it was formed 10 years ago, and the reappointment is effective for a further five years.

The **Personal Injury Panel** puts people in touch with legal practitioners who provide advice on and assistance with claims arising from personal injury. Panel members can also provide advice to relatives of people who have been fatally injured.

In conjunction with panel membership comercrawley is pleased to offer free legal advice to anyone who has been injured in an accident.



Only solicitors and legal executives who meet the Law Society's strict requirements are

permitted to join the panel. The Personal Injury Panel logo next to this article is confirmation that the practitioner's skills, knowledge and experience have been rigorously and independently assessed.

In addition, comercrawley have been reselected for both the Spinal Injuries Association panel and the Headway panel in recognition of the company's



specialist expertise in dealing with claims involving serious spinal and brain injury.



The **Spinal Injuries Association** represents the interests of people with spinal cord injuries and also supports their families and friends.



Headway, the brain injury association, is dedicated to improving life after brain injury. It provides information, support and services to people with a brain injury, their families and carers.

fastcuts

A quick fire roundup of developments in personal injury claims and at comercrawley

Small claims limit

The small claims limit received a reprieve recently when the government announced there were no immediate plans to raise it - the limit currently stands at £1,000 for a personal injury claim.

This means that injured victims of accidents will be entitled to recover costs for legal advice and representation where the injury element of the claim is valued at over £1,000. There were concerns that many thousands of potential claimants would be denied access to legal advice if the financial limit on cost bearing claims was raised.

Offers to settle

As from the start of April 2007 the rules as to how formal 'offers to settle' are made have been changed.

However, claimant solicitors (including us) are not really in favour of the changes because we believe the existing system works very well. We also think the insurance industry has had significant input into these changes which involve, among other things:-

- when proceedings have commenced a defendant/insurer can put forward a formal offer to settle a claim without making a payment of the money offered into Court. This represents a considerable boost for the insurer's cash flow.
- an offer to settle is now deemed to be made when the offer letter is sent out by the defendant/insurer rather than when it is received by the other party. Bearing in mind the receiving party only has 21 days in which to consider the offer - and we regularly receive letters from insurers dated many days before receipt - this will potentially make matters very complicated.

Did you know?

When an injury claim is settled, the defendant's insurance company has to repay to the Department of Works and Pensions any state benefits that the injured party has received as a result of the accident - and (subject to limits) the NHS charges for both outpatient and inpatient treatment and care received by the injured party.

And finally...

The Mail on Sunday carried a story recently about two minor accidents involving coaches taking guests to a wedding ceremony in Preston, which resulted in more than 70 personal injury claims. However, when a video of the reception was produced in Court showing many of the guests celebrating in style all bar a handful of the claims were rapidly withdrawn...

comercrawley

the personal injury lawyers

Publisher's statement

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