

MoJ insight

60 second interview with Dan Cutts



Dan Cutts, President of the Forum of Insurance Lawyers, speaks to Bavita Rai

What benefits will there be for insurers?

There should be savings on costs if the Insurer can get accurate prompt reporting from the Insured and gets its systems set up for Stage 2 settlements.

What benefits will there be for claimants?

I hope that Claimants will get the right compensation, sooner.

What challenges lie ahead for the insurance industry?

In the early stage they will have to be alive to the many ways that cases can drop out of process. Once things have settled down they will have to have systems to ensure total compliance with deadlines and make realistic offers. They need to ensure that cases stay in the process and that settlements are achieved at Stage 2 thus avoiding the higher fees and success fees in Stage 3.

Are you confident that the legal profession will adhere to the new process?

Given the very lengthy consultation and the fact that APIL and MASS have been involved at every step of the way I would hope that their members will support the process.

Birmingham Leicester Liverpool London Manchester

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Do you think the industry will be ready for April 2010?

I think for some it will be a struggle. On a positive note you must remember that the new process only applies to accidents after 6 April 2010 and so there will not be an avalanche of claims on the 7 April. Old cases run off as before.

When will we be able to judge the success of the reforms?

I think you need to give the process at least 18 months to 2 years. Any issues over cases dropping out of process will not be resolved at the point of dropping out but will have to wait until the costs hearing in the conventional litigation that follows. I have suggested that such cases are fast tracked so we get certainty fed back into the system.