

complaint

Mr S complains about the way third party claims were dealt with by Admiral under his motor insurance policy after he was involved in an accident. He is also dissatisfied with the service he received throughout the claims process.

background

The facts were set out in my provisional decision dated 15 March 2013. Briefly, Mr S's vehicle collided with a third party's vehicle and subsequently he was convicted of drink driving. Mr S doubts the validity of the personal injury claims, which Admiral decided to settle without reference to him, and which it now seeks to recover from him. Our adjudicator did not uphold the complaint. She considered that the issue of the third party claims would be better dealt with at court, and that the offer of £150 made by Admiral in respect of the service issues was fair and reasonable in the circumstances.

I was minded to conclude that Admiral had considered all the evidence carefully before deciding to settle the claims and that on balance it was reasonable for it to decide that the prospects of defending the claims in court successfully were poor. I was also minded to conclude that Admiral had not communicated well with Mr S about the matter and that it should have kept him better informed. However, as I did not consider that the poor communication affected the eventual outcome, I was minded to conclude that the compensation offered by Admiral for its poor service was reasonable.

I asked the parties to comment on my provisional findings and to let me have any other evidence or arguments. Admiral did not respond. Mr S asked for clarification of some of the points in my decision. He reiterated that the claim should have been challenged by Admiral and that he had been 'denied the right to a fair trial' as he had been excluded from the process leading to the settlement. Mr S believes the outcome would have been different had he been involved in it. Mr S also said that he was happy for his letter to be copied to Admiral, as he was still open to an amicable settlement. The letter was copied to Admiral, but it had no further comments to make.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint, but I am not persuaded that I should depart from the findings in my provisional decision.

I have sympathy with Mr S's position, and as I said in my provisional decision, I do understand why he found it difficult to accept the veracity of the personal injury claims that were made. However, I am satisfied that Admiral was faced with compelling medical evidence, which, in addition to other factors operating in this case, would have made it very difficult to defend the claims. Admiral accepts that it should have offered a better service to Mr S, but it has dealt with that aspect of his complaint adequately, in my view. Consequently, on balance I am satisfied that in all the circumstances, Admiral acted fairly and reasonably in dealing with this case as it did.

my final decision

My final decision is that I do not uphold this complaint.

Susan Ewins
ombudsman