



COMMITTED TO INJURED PEOPLE

2019 ANNUAL REPORT & ACCOUNTS




CONTENTS



OUR AIMS & OBJECTIVES

- TO PROMOTE FULL AND JUST COMPENSATION FOR ALL TYPES OF PERSONAL INJURY
- TO PROMOTE AND DEVELOP EXPERTISE IN THE PRACTICE OF PERSONAL INJURY LAW
- TO PROMOTE WIDER REDRESS FOR PERSONAL INJURY IN THE LEGAL SYSTEM
- TO CAMPAIGN FOR IMPROVEMENTS IN PERSONAL INJURY LAW
- TO PROMOTE SAFETY AND ALERT THE PUBLIC TO HAZARDS WHEREVER THEY ARISE
- TO PROVIDE A COMMUNICATION NETWORK FOR OUR MEMBERS

PRESIDENT'S REPORT



“I WOULD LIKE TO THANK ALL THE APIL STAFF FOR THEIR HARD WORK AND COMMITMENT THROUGHOUT THE YEAR. THEY MAKE AN EXCELLENT TEAM AND PUNCH ABOVE THEIR WEIGHT IN EVERYTHING THEY DO FOR THE ORGANISATION”



GORDON DALYELL President

At the start of my presidential year, there were a number of impending developments, both internal and external.

One of the most important was the arrival of our new Chief Executive, Mike Benner. I am delighted to report that Mike has hit the ground running, and has made a great impact on the organisation, and those we interact with, in the nine months since his appointment. His strategic plan, which will be delivered in 2020, is comprehensive and exciting, and will motivate all of us to work together in promoting the interests of injured people.

Much of the year has been taken up with the continuing uncertainty surrounding implementation of Part 1 of the Civil Liability Act. The commencement date has just been changed from April to 1 August. The justifiable concerns about the format of the rules, how disputes will be dealt with, and proper representation and ability to obtain advice, are still as valid, and unanswered as they were at the start of the whole process. This attack on access to justice is one which we must continue to fight.

The same can be said in relation to clinical negligence matters where the focus of government thinking continues to be on cost reduction, rather than addressing the fundamental issue of patient care, and lack of proper resourcing, which leads to the claims being instigated in the first place.

“One of the most important was the arrival of our new Chief Executive, Mike Benner. I am delighted to report that Mike has hit the ground running, and has made a great impact on the organisation”

The year has seen the setting of the discount rate not only in England and Wales, but also Scotland, and some movement towards setting a suitable rate in Northern Ireland.

It is fair to say that most people did not expect a negative rate, certainly in England & Wales, but the decision by David Gauke to set the rate at -0.25% was a recognition of the evidence indicating that a negative rate was appropriate, and certainly the proper evidence provided by APIL and FOCIS to the Scottish Government was influential in the decision of the Government Actuary to set the rate at -0.75%. There are still arguments to be had, not least with the reviews which will take place in a few years' time.

These decisions will make a big difference to the lives of seriously injured people, and reflect the importance of the work we do.

There have been developments too in relation to bereavement damages with the Government seemingly signalling a slightly different approach by recognising the claims of cohabitants. Unfortunately the Human Rights

Committee's recommendation that the whole area of bereavement damages be reassessed fell on deaf ears as the Government indicated that it saw damages in fatal cases as nothing more than a "token payment". This is a cruel reminder of the struggles we face when trying to influence government thinking. Would politicians express that view to a constituent whose spouse or partner had been killed at work, through no fault of their own? I doubt it, and that is why we will continue to argue, lobby and campaign as hard as we can for a fair and just system to be introduced to England, Wales and Northern Ireland.

I would like to thank all the APIL staff for their hard work and commitment throughout the year. They make an excellent team and punch above their weight in everything they do for the organisation. I would also like to thank my fellow officers and other EC members for their support and help during the year.

I would like to wish the incoming President, Sam Elsby, the very best of luck in his year and I am certain that you will be in good hands under his stewardship.

SECRETARY'S REPORT

“APIL’S ARTICLES HAVE BEEN REGULARLY AMENDED OVER THE YEARS AND SOME OF THESE CHANGES HAVE HAD UNFORESEEN CONSEQUENCES AND CREATED CONFLICTS WITH OTHER EXISTING ARTICLES”



JOHN McQUATER Secretary

2019 saw the election of Gordon Dalyell as president and Sam Elsby as vice president, with Jill Greenfield continuing as treasurer. I am grateful to all of them for their support during the year.

We also welcomed, this year, our new CEO, Mike Benner. I would like, as I did last year, to thank the senior management board, Lorraine Gwinnutt, Abi Jennings and Marlene Lord, for all their hard work whilst we were between CEOs.

During the year we have also welcomed Megan Pownall, events organiser to the organisation. Thank you also to Joanne Hilal who provided maternity leave cover this year, bringing the current head count on staff to 25.

APIL's articles have been regularly amended over the years and some of these changes have had unforeseen consequences and created conflicts with other existing articles. It became apparent that the articles required a complete re-assessment and that better use could be made of bye laws to make changes to the business's day-to-day operations. Accordingly, a working

group was set up to look at the articles in the round. Other changes were then also proposed such as amendments to terms of office and encouraging a more diverse participation at board level. Changes to the articles were publicised and duly approved by members at the 2019 AGM.

Work also concluded this year on the restructure of the EC: defining the responsibilities of its members. The review was led by Michael Imperato who made a number of recommendations to the EC with the aim of encouraging more members to become involved in the association and involved in the EC, sharing responsibility and workloads. This includes assigning portfolio responsibilities to EC members for identifiable subjects or issues for which they have particular expertise and confirming the duties of the two vice president roles. I would like to thank Michael for all his work on this.

I have, once again, been glad of the opportunity to meet so many members at training events and regional meetings throughout the year.

“Work also concluded this year on the restructure of the EC ... with the aim of encouraging more members to become involved in the association and involved in the EC, sharing responsibility and workloads”

CHIEF EXECUTIVE'S REPORT

“I AM PROUD TO BE AT THE HELM OF AN ORGANISATION WHICH WORKS TIRELESSLY TO ENSURE AN ENVIRONMENT WHERE OUR MEMBERS CAN DELIVER FULL AND PROMPT REDRESS FOR THEIR CLIENTS”



MIKE BENNER Chief Executive

Welcome to the 2019 Annual Report. I hope you enjoy reading about your association's work over the last twelve months. You will see in the following pages how much impact APIL has achieved. I am grateful for your continued support as a member in enabling us to do what is needed to ensure fairness for injured people.

The end of the year marked my first six months as your chief executive and, as we enter our thirtieth anniversary year, I am proud to be at the helm of an organisation which works tirelessly to ensure an environment where our members can deliver full and prompt redress for their clients.

So much has happened this year, that it's hard for me to summarise the highlights! Our campaigning work has focused on ongoing concerns about small claims reform, as well as our core proactive campaigns on bereavement damages and the excellent Reality Check campaign. Changes to the discount rate in England and Wales and then in Scotland, were not as damaging for injured people as expected and we continue to campaign for it to be based on the premise that injured people should not have to take investment risks with their compensation. Our General Election manifesto called for action on injury prevention and was supported by nearly 200 members reaching over 800 candidates.

Much work has taken place on our Serious Injury Guide; to ensure the right outcome on moves to fix costs for

“Changes to the discount rate in England and Wales and then in Scotland, were not as damaging for injured people as expected and we continue to campaign for it to be based on the premise that injured people should not have to take investment risks with their compensation”

clinical negligence claims, and on giving evidence to the Independent Inquiry into Child Sexual Abuse, specifically calling for the removal of the limitation period for historical child sexual abuse cases.

We continue to provide hard-hitting research evidence to support our campaigning activity. For example, we put paid to insurer myths by highlighting that vehicle repairs, not injured people, are responsible for rising insurance premiums. Despite misleading recent press coverage on the cost to the NHS of PI claims, we revealed that only 1.8 per cent of health spending in 2018/19 went on the cost of clinical negligence claims.

We continue to be confident about the PI sector and our membership numbers remain resilient. Our members are typically happy with their membership service and are engaged with APIL. Having attended several group meetings and met members at various firms, it has been an inspiration to meet so many passionate people dedicated, day in and day out, to getting the right outcome to help their clients rebuild their lives.

Our training offer in the form of webinars, one day conferences and specialist conferences continues to be very popular, bringing the highest quality and most relevant up to the minute training to our members.

Our finances have held up well, despite some challenges, and we report a small surplus for the year. We have managed costs while still delivering our core services and campaigns.

Finally, thank you to the wonderful people on the team at our Nottingham headquarters. Their support, energy and expertise is a real asset especially as we enter a year of change. Thank you also, to our officers and executive committee members for their commitment and support.

In 2020 we will launch a major new vision and strategy for APIL, working to lead the sector as we continue to fight for the rights of injured people. As we enter an exciting new era for APIL, I look forward to working with you in the years to come.

ANNUAL REVIEW

HIGHLIGHTS

- MILLIONS OF NEWSPAPER READERS REACHED THROUGH PRO-ACTIVE MEDIA WORK
- SPOTLIGHT ON BEREAVEMENT DAMAGES IN INTERVIEW WITH APIL PRESIDENT ON BBC RADIO 4'S FLAGSHIP CONSUMER PROGRAMME *YOU AND YOURS*
- NEW APIL PUBLICATION *REALITY CHECK* CHALLENGES PERCEPTIONS AND HEADLINES WITH STORIES FROM REAL INJURED PEOPLE
- APIL COMMENTS ON SOME OF THE UK'S MOST-VISITED NEWS WEBSITES, INCLUDING *MAIL ONLINE*, *THE GUARDIAN*, *THE TELEGRAPH*, *DAILY STAR*, AND YAHOO
- NEWSPAPER CIRCULATION FOR APIL COVERAGE OF NEARLY 4.5 MILLION
- REDUCTION IN THE USE OF "COMPENSATION CULTURE" IN PRINT MEDIA OF 85 PER CENT COMPARED TO 2009
- MORE THAN 10,000 LIKES AND RETWEETS FOR POSTS FROM THE @APIL TWITTER ACCOUNT
- A POTENTIAL AUDIENCE FOR EACH POST FROM THE @APIL TWITTER ACCOUNT OF 23 MILLION

PRESS AND PUBLIC RELATIONS

Whiplash reforms

APIL continued to voice objections and concerns about small claims and whiplash reforms. This included a comment piece in the *Law Society Gazette* in which APIL president Gordon Dalyell said the “idea that 150,000 people will be able to breeze through an online portal without help is absurd”.

Executive committee member Jonathan Scarsbrook took part in a panel discussion about the reforms at the PI Futures conference. Jonathan’s comments about how the plans could leave injured children without access to legal representation were published in an article for *Legal Futures*.

Other issues were also highlighted, such as APIL’s concern that medical reports should be free of charge to the injured person in the new whiplash regime regardless of whether liability had been admitted. A press release was published by *The Times* online, *Legal Futures*, *New Law Journal*, and the *Law Society Gazette*.

Personal injury discount rate

When the Lord Chancellor announced that he was starting his review of the personal injury discount rate, APIL reiterated its call for him to make his decision based on the needs of catastrophically injured people. APIL’s

statement was published online in the *Daily Mail*, *Law Society Gazette*, *New Law Journal*, *Litigation Futures*, and various other law and insurance trade websites. APIL reacted immediately when the Lord Chancellor’s decision was announced in the summer. It was used online by *The Guardian*, *Daily Mail*, *Reuters UK*, *Law Society Gazette*, *Litigation Futures* and various other online news publications. Similarly, APIL reacted when the new rate was announced in Scotland.

APIL has been vocal about the disparity between the personal injury discount rates in the UK jurisdictions, in particular calling for a review of the rate in Northern Ireland which remains at 2.5 per cent. Following the announcement of the new discount rate for England and Wales, a letter from APIL was printed in the *Belfast Telegraph*, followed by an interview with APIL’s president. An in-depth comment piece about the rhetoric employed by the insurance industry since the announcement was published in *Insurance Post* magazine.

Bereavement damages

Most of APIL’s coverage is the result of proactive statements, press releases, comments, letters, and opinion pieces. Opportunities were fewer in 2019 than in previous years, in part because much of the attention of Parliament and opinion formers was on wider national matters. But press releases about issues affecting injured people were still being produced whenever appropriate, including the ongoing need for reform of the law on bereavement

**BBC
RADIO**



damages in England and Wales. Following publication of a draft order from the Government to allow some co-habiting couples to be eligible for bereavement damages, APIL issued a press release to welcome the move and point out that it did not go far enough. It was published widely in the legal press such as the *Law Society Gazette* and *New Law Journal*, as well as *The Times* online which attracts around 683,000 readers daily. APIL president Gordon Dalyell then gave an in-depth interview to BBC Radio 4’s *You and Yours* programme calling for the law to be brought into the 21st century. When the statutory sum for bereavement damages was increased in Northern Ireland, APIL issued a press release across the UK highlighting the ‘postcode’ lottery for bereaved families and the need for parity across the jurisdictions.

“APIL has been vocal about the disparity between the discount rates in the UK jurisdictions”

Making headlines

Much effort goes into keeping issues in the limelight which may otherwise have been pushed aside given the political agenda in 2019. APIL opposed plans to introduce an absolute, 10-year cap on limitation for military injury claims, for example. This was covered by *The Times*, as well as legal journals and a number of regional newspapers. Towards the end of the year, legal journals, business industry titles, and local newspapers covered APIL's call for the limitation period for historical child sexual abuse cases to be lifted. It corresponded with APIL's involvement as a core participant in the Independent Inquiry into Child Sexual Abuse.



THE TIMES

On the 30th anniversary of the Hillsborough stadium disaster in April, the association highlighted the legacy of the law on psychiatric harm and how it is time for reform. An in-depth comment piece was published on *The Times* online.

Gordon Dalyell became APIL's first Scottish president in May 2019. He gave an interview to *The Times* in Scotland and was featured as 'lawyer of the week'. He also gave an in-depth, introductory interview, to *Solicitors Journal* in one of its first editions since its relaunch.

The association reacted to Ministry of Justice (MoJ) plans to extend fixed recoverable costs, as proposed by Sir Rupert Jackson, which was published widely across industry titles. The association proclaimed the plans would tilt the balance of power even further in favour of defendants.

“A statement was issued in reaction to the NHS Resolution annual report and accounts, which highlighted that every penny spent on clinical negligence compensation could be avoided if the negligence itself were tackled properly”

Clinical negligence

A statement was issued in reaction to the NHS Resolution annual report and accounts, which highlighted that every penny spent on clinical negligence compensation could be avoided if the negligence itself were tackled properly. This was published in *The Times* and *Law Society Gazette*. APIL is relentless in the delivery of its message that the key to tackling the NHS compensation bill lies in preventing harm to patients, not in compensating them. APIL executive committee member Suzanne White took part in the annual Clinical Negligence Debate, which was organised and covered by Claims Media. Around 200 delegates were in attendance, to whom Suzanne laid out APIL's position on making efficiencies in the claims process in order to reduce costs in clinical negligence claims. “But most of all, you need to stop blaming the patients for being injured,” said Suzanne.

Letter campaigns

The letters page of any newspaper is typically the most-read, after the front. It provides an opportunity not only to have APIL's messages seen by the wider public, but also for debates and conversations to start within the pages if readers choose to respond. A letter campaign was issued to coincide with Global Asbestos Awareness Week in April, which called for the establishment of a fund of last resort for sufferers of asbestos-related diseases other than mesothelioma. The letter reached a circulation of nearly 200,000 newspapers.

Another campaign focussed on calling for inquests for all stillborn babies, following APIL's response to a consultation on the subject. The letter was published in newspapers all over England and Wales, including big daily titles the *Manchester Evening News*, *South Wales Argus*, *Yorkshire Evening Post*, and *Birmingham Mail*. The letter achieved a circulation of nearly half a million.

It is also necessary to rebut misinformation from the insurance industry, which routinely threatens consumers with higher motor premiums as a result of injury claims. APIL's chief executive Mike Benner wrote a blog for the APIL website about research which demonstrated that consumers were losing trust in insurance companies. The press team adapted this into a letter for the press, which was published in the *London Evening Standard*, *Wigan Evening Post*, and *Belfast Telegraph*.

Disproving negative hearsay

APIL employs a zero-tolerance policy to the use of the phrase “compensation culture”. Rebuttal letters are issued in response, asserting that the issue is more a perception than a reality and reiterating the fact that people suffering unnecessary pain and hardship because of injuries which should have been avoided are entitled to fair redress. APIL found an 85 per cent reduction in the use of “compensation culture” in the print press over a two-month period in 2019 when compared to the same period in 2009.

Championing PI specialists

A feature about APIL's accreditation scheme and the importance of specialist lawyers for injured people was published in a legal supplement in *The Times*. This complemented a month-long series of online content, including Twitter and LinkedIn posts and a blog, which told the stories of a group of APIL accredited members and why they chose to represent injured people.

Gordon Dalyell, APIL's president, chaired the judging panel for the Claims Media Personal Injury Awards. In his speech he noted that while over the last few years the personal injury sector has faced a bombardment of reforms, as well as general vitriol from some policymakers and the popular press, there are still motivated, dedicated lawyers who are striving for high standards of practice.

Rehabilitation

APIL also took part in a national paid-for media campaign on rehabilitation. An article about the tools available to lawyers and how recovery is just as important as financial recompense was printed in a special supplement in *The Guardian*. The article was also printed in a booklet which was distributed at multiple conferences and events, including the Child Brain Injury Trust annual conference, and the Royal College of General Practitioners conference. The estimated total reach for the project was more than a million people.

Enquiries

It was a varied year in terms of subject matter for enquiries from the media, including requests for comments about compensation claims against specific NHS trusts; about the Solicitors Regulation Authority scrapping CPD hours for solicitors; and about the outstanding injury claims for which defunct holiday firm Thomas Cook was

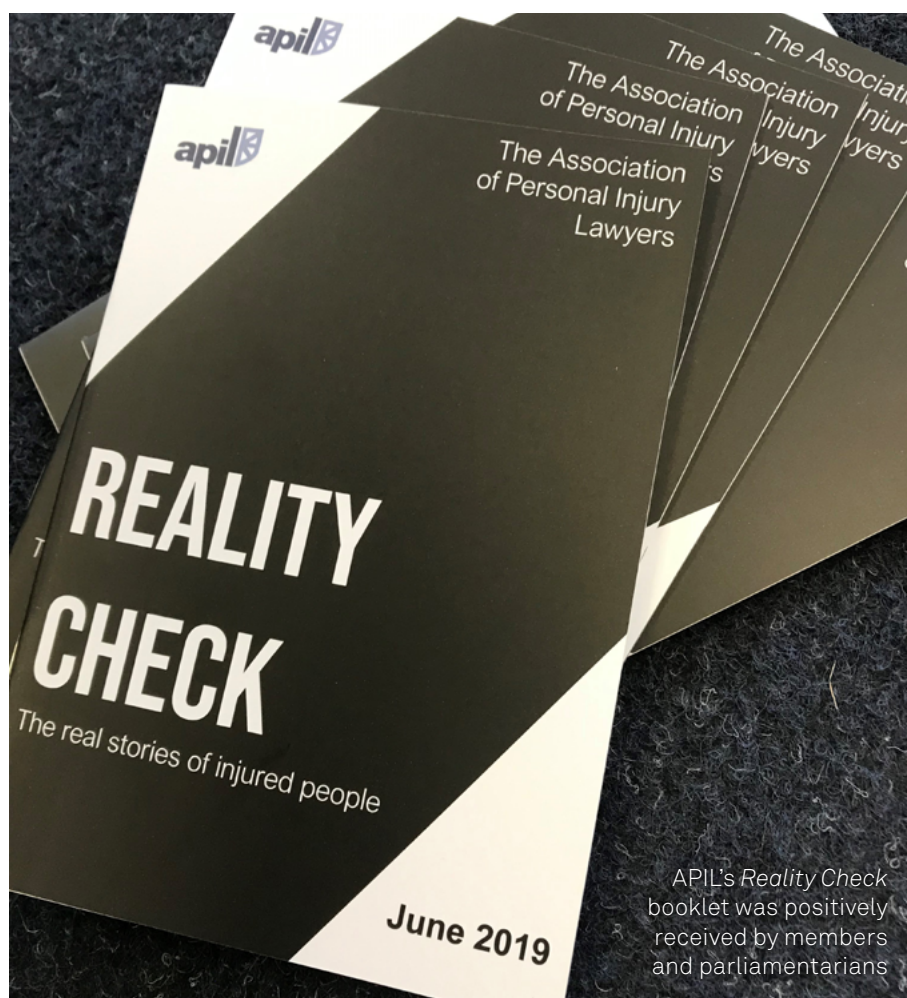
liable. The *Daily Telegraph* contacted the press office for information and comment about whether legal expenses insurance would be used in the new whiplash system, and APIL's comments about the pressing need for clarity on all the issues with the new system were included in the print article. The press office was asked regularly by the legal and insurance press about the discussions and negotiations in the development of the forthcoming portal for litigants in person with whiplash injuries.

Reality Check

A new booklet called *Reality Check* was produced using facts and figures and real-life stories of people who had

claimed compensation for injuries and bereavement. Cases were sourced from the APIL membership, and demonstrated the ongoing impact negligence has on people's lives. The booklet was launched at APIL's parliamentary reception and handed to MPs and peers. It was published to the APIL website and sent to media contacts. It was subsequently highlighted in *Solicitors Journal* and was the subject of a dedicated column by APIL's president from *Modern Insurance Magazine*.

Feedback from members and parliamentarians on *Reality Check* and its aims was very positive. A series of social media posts were promoted to the wider public and the booklet is still being referenced on Twitter. The booklet was written and designed in-house.



APIL's *Reality Check* booklet was positively received by members and parliamentarians



Twitter

APIL's campaigns Twitter feed, @APIL, continues to be an invaluable tool for sharing the associations messages and engaging with relevant parties. This account now has more than 10,000 followers, having gained around three new followers every day in 2019.

The most popular tweet to date was posted in 2019. It corrected use of the word 'win' when referring to damages paid to a child who suffered a serious injury at birth in a news article, gaining more than 220 retweets and 820 likes. This account is used regularly to rebut such negative content. It is also used to dispel myths and share APIL's messages, reactions and breaking news. When the new discount rate was announced in July, for example, APIL was one of the first to break the news on Twitter.

As part of the association's ongoing campaign to dispel myths, a series of 'Monday myth buster' tweets were shared in the first two months of 2019. Graphics were created for the campaign and used to dispel a common misconception about personal injury law, covering topics including car insurance premiums, the discount rate and bereavement damages.

Another campaign shared on Twitter in 2019 was all about why selected APIL members became personal injury lawyers. The campaign shared and promoted the profiles of six different members who had shared their story. The tweets achieved a total of 1,372 engagements with APIL's Twitter posts and the content generated 176,699 impressions.

Throughout the year APIL has continued to achieve a high level of engagement. The account sent 343 tweets in 2019 and received more than 10,000 likes and retweets. The potential reach for this account has now reached over 23 million, eight per cent higher than 2018.

Injury Prevention Day

Each year APIL tackles a new theme for its annual Injury Prevention Day. This year the campaign, which is used to underpin APIL's prevention messages, centred on commonly shared mantras or mottoes about safe driving. People were encouraged to share the phrases they have picked up from friends and family, like 'stay wider of the rider' and 'never accelerate into the unknown'. APIL also contacted charities, insurers, driving instructors and other road safety organisations asking them to get involved in the campaign.

The majority of this campaign took place on Twitter and Facebook with many people getting in touch to share their words of wisdom. More than 86,000 people saw the campaign on Twitter and a further 11,580 on Facebook. On Twitter 258 different users tweeted using the hashtag #IPDay19.

A contest was held on the @APIL Twitter feed and APIL's 'Back Off' campaign Facebook page in which people were asked to share their best pieces of motoring advice. The APIL public affairs team picked its favourite which was featured as a graphic and shared on both platforms.

APIL's members were extremely supportive on Twitter and Facebook and some wrote blogs about the importance of preventing needless injuries. Some firms even encouraged individual members of staff to get involved by holding up their printed mottoes and having their photo taken and shared online.

Following the campaign, a comment piece was sent to *Modern Insurance Magazine* which explained the premise of APIL's Injury Prevention Day campaign. This was published in the October issue.

“The potential reach for the APIL Twitter account has now reached over 23 million, eight per cent higher than 2018”

APIL IN PARLIAMENT

The Brexit effect and the General Election

It was a turbulent year in British politics, with the attention of almost all in the political world on the debate surrounding the UK's departure from the European Union. Attention then turned to the snap General Election, which APIL used to promote its own campaigns.

APIL published a manifesto which asked parliamentary candidates to become champions for the prevention of needless injury, and support policies on fairness for injured people. The manifesto led with the need to prevent needless injury, but candidates were told that when the worst does happen, it is vital the justice system works for, and not against injured people. Candidates were asked to support the modernisation of the law on bereavement damages in England and Wales, the creation of a fund of last resort for sufferers of asbestos-related diseases, and to commit to ensure all injured people receive full and fair compensation.

Almost 200 of the association's members answered the call to get involved, and helped send the manifesto to candidates in 160 individual parliamentary constituencies, giving the manifesto a potential reach of 807 candidates across all political parties. After the election APIL started to make introductory approaches to new MPs.

The year didn't pass without APIL's involvement in the Brexit debate, as the association lobbied on proposed changes to injury claims post-Brexit. APIL responded to regulations published by the Government which will require UK residents injured in road traffic accidents in the European Economic Area to make a claim in the country in which the injured occurred. APIL warned the changes could deny compensation to those injured abroad, who may be unable or unwilling to pursue a claim in a foreign country.

The proposals were ultimately approved by Parliament, but APIL's concerns were raised during debates in both Houses of Parliament.

“The manifesto led with the need to prevent needless injury, but candidates were told that when the worst does happen, it is vital the justice system works for, and not against injured people”

Small claims/whiplash reforms

Throughout the year APIL continued to raise concerns about the Government's whiplash reforms with politicians, civil servants, charities and the judiciary. These concerns focussed on the continued development of the new system behind closed doors, whether the judiciary would be involved in the testing (which had been promised by the Government) and the level of support which will be available for litigants in person after the reforms have been implemented. The Government had claimed that charities could provide this support, but APIL revealed that charities had not been consulted by the Government about their ability to do this work.

Despite continued pressure from APIL and others, many issues remained unresolved at the end of the year. These included the role of alternative dispute resolution, the level of the new whiplash tariffs, and the unintended consequences of removing children and protected parties from an increase in the small claims limit while still subject to the tariff. After the announcement of the General Election, which limited the work civil servants could do to prepare for implementation, APIL wrote to Lord Keen about its concerns that the reforms would not be ready for April, and warned of the risk of a so-called 'minimum viable product' which would not be good enough for injured people.

A manifesto from APIL: 30 years of commitment to injured people

- Prevention of Needless Injuries

- Fairness for Injured People





Gordon Dalyell and Lesley Laird MP

Parliamentary reception

Members of both Houses of Parliament joined APIL for its parliamentary reception in May. Justice committee chairman Bob Neill was among those to attend the event, where APIL launched its new *Reality Check* booklet. Other attendees at the event included Bob Neill's committee colleagues Andy Slaughter and Robert Courts, as well as Scottish Labour's deputy leader Lesley Laird.

Bereavement damages

In July a parliamentary committee called for a Government consultation on the law of bereavement damages. The Joint Committee on Human Rights recommended an extension to the eligibility for bereavement damages to those who had cohabited for at least two years. The committee concluded that "the current list of eligible claimants is unprincipled, discriminates against other family

members in analogous positions to existing eligible claimants, and stigmatises children". APIL was one of only two organisations to provide evidence to the committee.

Health Service Safety Investigations Bill

APIL warned that proposed patient safety legislation would undermine the Government's commitment to openness and transparency in the NHS. The Health Service Safety Investigations Bill would have created a new independent body to investigate patient safety incidents, and which would have been allowed to withhold information gathered as part of investigations from patients and their families. APIL used the experience of its members to tell politicians that sometimes the only thing people want after an incident is a full explanation of what went wrong, without which an injured patient or a bereaved family may never be able to move on and put their lives back together. The Bill's journey through Parliament was cut short by the General Election, but after it was re-elected the Government committed to reintroduce the legislation.

Asbestos

APIL secured support in Parliament after it started discussions about the need for a fund of last resort for sufferers of asbestos-related diseases who are unable to identify any or all relevant insurers. SNP MP Martin Docherty-Hughes gave his backing to the campaign, and offered to use the different parliamentary tools available to him to raise the issue with ministers.

Scotland

Scotland went its own way on the personal injury discount rate, after the Damages (Investment Returns and Periodical Payments) (Scotland) Act was passed by the Scottish Parliament. Before the legislation became law, APIL worked with members of the Scottish Parliament (MSPs) to help secure a concession from the Scottish Government on the adjustments for the impact of taxation and the cost of investment advice and management. This followed APIL's previous lobbying work on the Bill, which involved briefings and both written and oral evidence to a parliamentary committee.

APIL responded to draft proposals for a Mediation (Scotland) Bill which were published by a Conservative MSP in May. Margaret Mitchell, who also serves as Convenor of the Scottish Parliament's justice committee, consulted on proposals to introduce mandatory mediation information sessions before a civil claim could proceed to court. APIL warned against any proposals which could lead to mandatory mediation, and highlighted measure already taken to keep cases going to court unnecessarily.

Northern Ireland

APIL urged the senior civil servant at the Northern Ireland Department of Justice (DoJ) to honour a previous policy commitment to increase bereavement damages every three years. APIL received a positive response to its approach, and an increase to £15,100 came into effect from 1 May.

Throughout 2019 APIL called for a review of the discount rate, which remained at 2.5 per cent. In a number of approaches to civil servants, APIL raised the unfairness of the artificially high rate in the jurisdiction. At the end of the year the senior civil servant at the DoJ confirmed that the department was considering the rate, and taking actuarial advice.

"APIL was one of only two organisations to provide evidence to the [Government's Joint] committee"

LEGAL AFFAIRS AND LAW REFORM

Whiplash reforms and IT project

At the end of 2018 we reported that whilst meetings had taken place throughout the year, a significant amount of work remained necessary for the reforms to be ready by April 2020. As we neared the end of 2019 these concerns remained. IT work continued throughout 2019 with very little input from stakeholders. The low-cost ADR which Government had confirmed would be part of the process was still to be defined; there was no clarity around the valuation of mixed injury claims. There was misunderstanding about the process for children and protected parties after the Government exempted them from the the increase in the small claims limit and the new whiplash portal, but not the tariff. By the end of the year there was still no draft protocol or rules available, no guidance for litigants in person and it was still unclear what testing had been done on the prototype IT system. The Government also confirmed that there would be no link between the current claims portal and new litigant in person portal.

APIL remained involved in industry discussions, continuing to raise concerns that injured people will be without legal advice in the system against a well-resourced insurer. Representatives continued to express concerns that the system will need to deal with liability, causation and quantum in a way that is fair for the injured person.

During 2019 the Government also consulted upon the future provision of medical reports in road traffic accident claims. APIL supports the expansion of MedCo to provide medical reports for all road traffic accident claims falling within the new small claims limit. Many claimants will have to pursue the claim without the benefit of a legal representative, and any measures that will ensure claimants can continue to access justice in those cases are

“As we neared the end of 2019 these concerns remained ... there was still no draft protocol or rules available, no guidance for litigants in person and it was still unclear what testing had been done on the prototype IT system”

positive. APIL cautioned, however, that the reform to MedCo must be far more comprehensive than simply allowing litigants in person to access the current system. The Government confirmed that that Medco’s remit would be widened so that all initial medical reports for road traffic accident claims up to £5,000 would be provided through MedCo. It also confirmed that there would be new qualifying criteria for those dealing with unrepresented claimants.

Discount rate

The Lord Chancellor’s first review of the discount rate under section 1A Damages Act 1996 using the new methodology introduced by The Civil Liability Act 2018 was concluded in July and came into force on 5 August 2019.

APIL monitored the insurance media and social media and took the view that a judicial review of the decision, initiated by the insurance lobby was highly likely. A challenging judgments working party (CJWP) was set up to prepare for that eventuality.

On 7 August the Association of British Insurers (ABI) sent a letter before claim to the Lord Chancellor, giving notice that it intended to apply for a judicial review (JR) of the Lord Chancellor’s decision, naming APIL as a likely interested party. The CJWP authorised Bindmans LLP to advise and represent APIL as an interested party. APIL’s view was that there was no viable case for the ABI to pursue. The ABI had until 14 October to issue the claim and on that date we received confirmation that it would not be proceeding with its JR.



“Whilst APIL is not opposed to costs control, our view is that there are fairer and more effective ways to do so than by simply extending fixed costs”

Extension of Fixed Recoverable Costs

In March, the MoJ launched its consultation on Lord Justice Jackson’s proposals to extend fixed recoverable costs to all cases in the fast track, and to cases valued between £25,000 and £100,000. APIL met with the MoJ in April, to raise its concerns about the proposals. Whilst APIL is not opposed to costs control, our view is that there are fairer and more effective ways to do so than by simply extending fixed costs. Fixed costs exacerbate the inequality between the claimant and defendant in personal injury cases. There must be control of defendant spending, Part 36 must retain its teeth, and there must be sanctions for late acceptance of a Part 36 offer by the defendant. APIL also raised the importance of having clear exclusions from the intermediate track. There has been no official response from the MoJ.

Civil Justice Council: low value clinical negligence work

Numerous meetings took place in 2019, with APIL represented as a core participant. The final report was published in October. There remained significant areas of dispute between claimant and defendant representatives. Patient safety was notably absent from the recommendations despite APIL pushing for its inclusion. The level of fees being proposed for the new process were not agreed and whilst APIL provided data to inform Professor Fenn’s work on fixed costs, we remained concerned about the level of fees proposed being based on data from cases run under the current system.

There are other major issues outstanding which still need to be considered further, such as after the-event insurance, sanctions, and experts’ and counsels’ fees. There also needs to be clarity on the types of cases to be excluded from the scheme. The Government will issue a consultation considering these recommendations in due course.

Civil Justice Council: low value personal injury work

The terms of reference for this group were to consider “what further reforms could be introduced to low value (under 25K) personal injury claims more generally, with a view to (i) preventing unmeritorious claims and (ii) resolving meritorious claims more quickly and with costs reduced.” The CJC working group met with the Ministry of Justice (MoJ) in the first quarter of 2019, allowing them input into the work the CJC group had been doing. Work continues, albeit slowly. There is little consensus amongst the group: we expect it to report to the CJC during 2020.

Independent Inquiry into child sexual abuse

APIL applied to be a core participant in the second phase of the IICSA investigation into accountability and reparations to victims of historical sexual abuse. The inquiry is focusing on whether the law of limitation should be reformed to make it easier for victims and survivors to bring claims in respect of non-recent child sexual abuse, and the potential for a redress scheme to offer accountability and reparation to

victims and survivors. Kim Harrison provided a witness statement on APIL’s behalf. A three-day public hearing into phase two of this investigation took place between 26-28 November 2019, with APIL giving an opening statement, and evidence to the committee. It allowed APIL the opportunity to raise its concerns about the difficulties survivors experience when bringing these claims. APIL expressed a desire for the law to be reformed in this area to address the imbalance between claimants and defendants. It also called for the three year limitation period to be lifted for historical sexual abuse claims, with the claimant still having to prove their case as they do now, but it being the defendant’s responsibility to prove that a fair trial would not be possible if the case were pursued. APIL would welcome a redress scheme as an additional means to compensation and redress, but survivors should have a choice and should not be forced to use a scheme instead of being able to pursue a claim through the courts.

The final hearing on this phase will take place in early 2020 with final reports and recommendations expected in 2021.



Kim Harrison

CRIMINAL INJURIES COMPENSATION AUTHORITY (CICA)

Review of the Criminal Injuries Compensation Scheme

In February, APIL met with the MoJ to inform its consultation on the Criminal Injuries Compensation Scheme. APIL raised a number of concerns about the scheme, in particular that there needs to be discretion in relation to unspent convictions, a new definition of crime of violence and that there should be examination of the discretion on the time limit for applications. The MoJ made clear that it could not guarantee any additional funding following the review. APIL awaits the consultation, which will provide an opportunity to highlight how the administration of the scheme could be improved.

CICA Same Roof Rule

The Court of Appeal ruling in *JT v First Tier Tribunal, Criminal Injuries Compensation Authority, Equality & Human Rights Commission* [2018] EWCA Civ 1735 held that the 'same roof rule' (which prevents victims of abuse from being awarded compensation by the CICA where they were victims of crimes before 1979 and lived with assailant) is incompatible with the Human Rights Act.

Following the judgment, APIL wrote to the Victims Commissioner and the CICA urging the CICA to recognise claims from affected applicants. While the Government issued a press release in October 2018 indicating that it intended to abolish the same roof rule, in reality nothing had changed in the new year. APIL lodged a number of Freedom of Information Act requests with the CICA to ascertain the numbers of applications potentially affected by the rule change. In May the CICA disclosed that there were 670 live cases in which the Same Roof Rule may apply.



APIL members try out the latest technological aids available for their injured clients

The Government announced at the end of February that it intended to publish a draft statutory instrument to abolish the same roof rule but further delays led to APIL writing again to both the Victims Commissioner and the CICA to ensure that the issue remained at the forefront of their attention. Finally, an amendment to the 2012 Scheme obtained the approval of both Houses of Parliament in June 2019. The amended Scheme allows applications to be received from 'same roof rule victims' as well as re-applications from those who were previously denied compensation under the rule.

Universal Credit

A number of members contacted APIL during 2019 to express concerns about the effects of Universal Credit had on their client's awards where the Compensation Recovery Unit was entitled to recover benefits. The composite nature of the Universal Credit payment means that deductions from awards and payments made directly to CRU by insurers adversely affect both the sums received by the injured claimant and the sums which insured third parties must repay to the CRU. Following initial discussions

with FOIL, whose members also had concerns, APIL instructed counsel to advise on possible courses of action available. As the year closed, that advice was being considered by members of the executive committee.

Deceased work histories

Members reported that HMRC had declined to provide the work records to a deceased person's family member without a court order. APIL contacted HMRC to confirm that this was not a repeat of *Yates v HMRC & APIL* in 2014. The claims are those brought by third parties against the employers of the deceased, for example when the claimant has been exposed to asbestos on their spouse's work clothes, and the spouse has since passed away.

In these cases, HMRC will not disclose the deceased spouse's work records to the claimant because this claim is 'not connected with the demise of the family member to whom the revenue records apply'. This seems to be a result of an oversight when section 85(1) of the Deregulation Act 2015 was drafted: an amendment to it will be necessary, for which APIL will continue to press in 2020.

CONSULTATION RESPONSES

APIL responded to 18 consultations across the United Kingdom in 2019, on a wide range of issues affecting injured people. All APIL's consultation responses can be found on the association's website, under "campaigning" and "consultations and responses". APIL members can provide comments on consultations by clicking "get involved" on the "consultations and responses" page.

Stillbirths and legal aid for bereaved families at inquests

APIL has continued to call for improved services for bereaved families. APIL supported Ministry of Justice and Department of Health proposals to introduce coronial investigation of stillbirths. The current distinction between stillbirths and neonatal deaths is artificial, and bereaved families in both circumstances deserve an opportunity to find out why their baby did not survive. While any improvement in the investigation of stillbirths is welcome, APIL stressed that families must be able to engage fully with coroners' investigations, and to do so they must have access to legal advice. APIL was disappointed with the Government's decision this year that it was not necessary to introduce non-means tested legal aid for families at inquests.

Legal protections for armed forces personnel

In October, APIL cautioned against changes to the limitation period for armed forces personnel and veterans injured in operations overseas. Under the guise of protecting armed forces personnel and veterans, the Ministry of Defence proposed to introduce a 10 year long stop on civil claims. APIL



Image: © MoD/Crown copyright 2014

stressed that the ability of armed forces personnel to bring civil compensation claims against the Ministry of Defence (MoD) and holding the MoD to account, is key to helping to keep them safe. The current law of limitation, under which there is a discretion to bring late claims at any time, was carefully developed to balance the competing interests of the parties.

Damages Based Agreements

An independent review of Damages Based Agreements (DBAs) was undertaken by Rachael Mulheron and Nicholas Bacon QC, and APIL responded to this in late 2019. APIL welcomed the suggested move to a success fee model approach which would allow for recoverable costs plus the percentage cap on damages to be taken by the claimant's solicitor.

Scotland

APIL responded to consultations on success fee agreements and financial redress for survivors of historical child abuse in Scotland in 2019. On the regulation of success fee agreements, APIL pressed that there should not be an absolute duty to put every minor update

in the case in writing to the client, nor should a success fee agreement be required to include an indicative statement of the value of the claim.

APIL supported a redress scheme as an additional option for redress for survivors of abuse, but stressed that anyone who goes through the redress scheme should not subsequently be barred from bringing a claim through the civil courts.

Northern Ireland

APIL responded to two consultations in Northern Ireland. Responding to a Department of Justice consultation on increasing court fees, APIL maintained that full costs recovery should not be the main focus when setting court fees and that the NICTS should focus on improving efficiency within the court system. A move towards paperless courts and the conduct of reviews by telephone or email would enable the courts to deliver an improved service for court users at a more efficient cost. In response to a Department of Justice consultation on compensation for minors and patients, APIL stressed the importance of minors' damages being held in the Court Funds Office, to ensure that their compensation is protected and can address their needs.

WORKING WITH OTHERS

Cross industry group on rehabilitation in low value road traffic accident claims

Proposals from this group, of which APIL is a member, were submitted to the MoJ in December 2018. In October 2019, the cross-industry group was approached by a group of rehabilitation providers, Together for Rehabilitation (TfR), which was asked by the MoJ to work with the cross industry group to create joint proposals. APIL attended a meeting of the cross industry group and TfR in December 2019 to discuss common ground. Following the meeting, the joint proposals largely mirrored those originally produced by the cross-industry group.

Serious Injury Guide

Work continued in 2019 to ensure that the Serious Injury Guide met its aims. A recent joint survey of participants revealed that 84 per cent of participants believe that following

the guide leads to easier access to rehabilitation. 86 per cent said that following the guide leads to greater collaboration between the claimant and defendant towards resolving the case. As a result of feedback from participants, the steering group of the Serious Injury Guide has developed a video of hints and tips to get the most out of route mapping meetings, available at www.seriousinjuryguide.co.uk. The group is also considering how the guide can be adapted for cases below the current £250,000 threshold, and continues to seek opportunities to open up discussions with NHS Resolution on using the guide in clinical negligence cases.

Motor Insurers Bureau updates on Brexit

To stay abreast of how Brexit would affect cross border motor insurance claims, APIL attended three stakeholder meetings run by the Motor Insurers' Bureau. The sessions updated on the ongoing political wrangling in the lead up to the UK's departure from the EU; the steps the MIB was taking to prepare should the UK leave the EU without a deal; and how cross industry

“We found that 86% said that following the Serious Injury Guide leads to greater collaboration between the parties”

road traffic accident claims will work post Brexit. APIL kept members up to date on the MIB's work, and on how cross border claims would work post Brexit, via Weekly News and bulk emails to the international special interest group.

Claims Management Regulation

APIL attended two meetings of the Claims Management Regulatory Consultative Group this year. These meetings are now chaired by the FCA, which took over responsibility for the regulation of claims management companies (CMCs) in April 2018. There was a concern about the poor quality of applications received, and whether this indicated that CMCs were ready, willing, and organised to comply with the FCA's more rigorous regulatory requirements.

APIL FOIL MASS Register of mediators

The APIL, FOIL, MASS register of mediators was launched for use by APIL, FOIL and MASS members in June 2019. The link to the register, which is free to access as a benefit of APIL membership, is available in the members' area of the APIL website. The register provides access to a range of mediators who specialise in mediation for personal injury and clinical negligence cases.



INTERVENTIONS

APIL considered six proposals to intervene in appeals this year. For each proposal a working party was convened under powers delegated to it by the executive committee. This year, the working party declined to intervene in three of the appeals under consideration. Of the remainder: APIL applied to the Supreme Court for permission to intervene in *XX v Whittington Hospital NHS Trust* UKSC 2019/0013, although permission was not granted; in *Swift v Carpenter*, due to be heard in the Court of Appeal in 2020, the request remains under consideration as at the end of this year and as the year closed the working party was also considering support for, and an application to intervene in, an appeal to the Supreme Court in the case of *Cham v Aldred*.

Code of conduct

The secretary dealt with two formal complaints made under APIL's code of conduct this year. In one complaint, APIL referred the matter to the SRA. As the firm involved no longer has any active members, no further action was taken by APIL. The second complaint was resolved after APIL contacted the APIL members concerned and the complainant's concerns were addressed.

Protecting APIL's brand

APIL's brand is a valuable asset and the association is always vigilant about its protection. This year, APIL dealt with three infringements of its registered trademark where it had been improperly used on former members' websites and other marketing materials. APIL also required two former members to remove assertions that they remained

members of the association. In a bid to protect its trademark throughout Europe steps have also been taken this year to register APIL's trademark with the European Union Intellectual Property Office.

County Court Money Claims Centre (CCMCC)

APIL attends quarterly stakeholder meetings held by the CCMCC, acting as a conduit for an exchange of information and concerns between the members and the CCMCC. This year, these meetings dealt with: a huge IT outage which affected the age of work being processed at the court at the start of the year; the *Help with Fees* scheme; effect of incorrect court issue fees; civil money claims online court and other reforms and testing; legal adviser and mediation pilots and judicial resources.

@PIneedToKnow

APIL's legal affairs and public affairs teams conduct a daily monitor of news, legal, political, government and stakeholder websites to ensure that the association remains up to date on daily developments of interest. The legal affairs team tweets much of the detail from this web monitoring via its dedicated twitter account @pineedtoknow. The account is aimed primarily at APIL members and experts, attracting an audience of companies and individuals with an interest in keeping up to date about developments in PI law and related issues.

“The legal affairs team tweets much of the detail from [its] web monitoring via its dedicated twitter account @pineedtoknow”

RESEARCH

APIL's annual programme of research continues to support the policy and press work of the organisation. We undertake regular analysis of insurer data, claims numbers and injury/ safety figures. Analysis of external data, freedom of information requests and data provided by members to our surveys, provides APIL with greater credibility when responding to the issues facing injured people.

Regular analysis is undertaken throughout the year, highlights are provided below with more regular updates provided on the research blog and in the quarterly webinar.

Tackling Insurer Myths

APIL analysis continued to tackle false claims propagated by insurers:

- **Vehicle repairs, not injured people, are responsible for rising car insurance premiums**

Between 2013 and 2018, the average car insurance premium increased by 19 per cent. This was driven by a 28 per cent increase in the cost of vehicle repair claims. In contrast, the cost of injury claims settled by motor insurers fell by 21 per cent between 2013 and 2018;

- **“Whiplash” and “soft tissue” injury claims are falling**

In 2018 the number of RTA claims submitted to the portal fell to a record low;

- **Injury claimants are genuine**

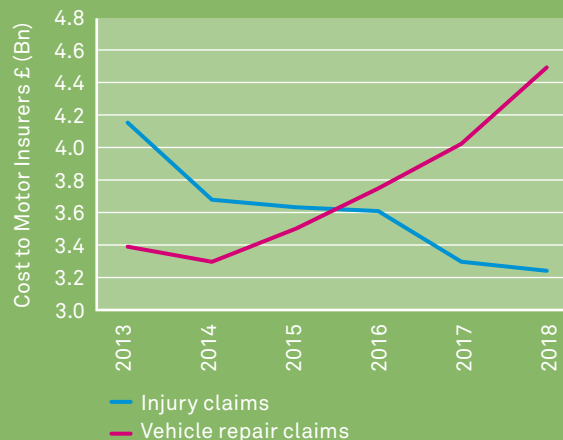
In 2018, just 1 per cent of all motor-related personal injury claims were proven to be fraudulent, according to ABI data.

Bereavement damages: the public support reform

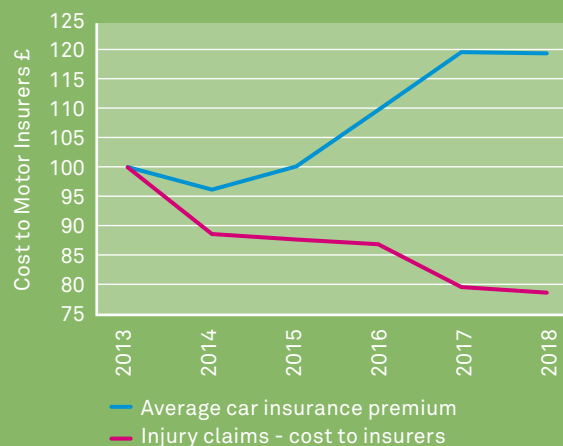
YouGov opinion polling commissioned by APIL found strong public support for reform to bereavement damages:

- 78 per cent of British adults think the current £12,980 provided in England and Wales is too little compensation;
- 89 per cent of British adults think that cohabittees should receive compensation for the loss of their partner;
- 85 per cent of British adults think that a father should receive compensation for the loss of his child, even if he was not married to the child's mother.

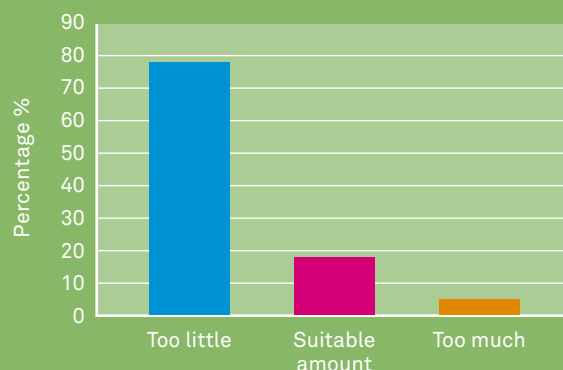
■ Injured people are not responsible for rising insurance premiums. Since 2013, the cost of injury claims has fallen by 21%. Meanwhile vehicle repair costs have increased by 28%



■ Since 2013 the price of car insurance and the cost of injury claims have diverged



■ Over three quarters of Britons think the current amount of bereavement damages is too little



Criminal Injuries Compensation Authority (CICA) figures reveal importance of legal representation

Figures released to APIL under the Freedom of Information Act revealed a gap between the amount of compensation initially offered by the CICA, and the amount offered by the CICA after an appeal.

In 2018/19:

- 2,831 people were offered compensation at an internal review. These people were initially offered, on average, £3,566. At their internal review, the average offer made to these people rose by 159 per cent, to £9,223.
- 271 people were offered compensation at an appeal. These people were initially offered, on average, £6,253. At their appeal, the average offer made to these people rose by 604 per cent, to £44,037.

Without professional advice, people are in the dark as to whether they should challenge an offer from the CICA. These increases highlight the importance of legal representation for a CICA claim

Image: ©Earl grey, CC BY-SA-3.0

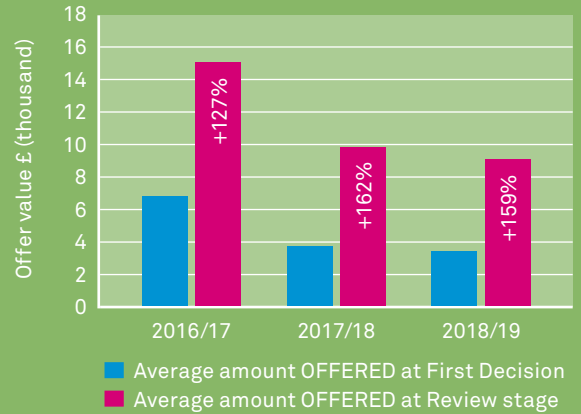


Discount rate call for evidence

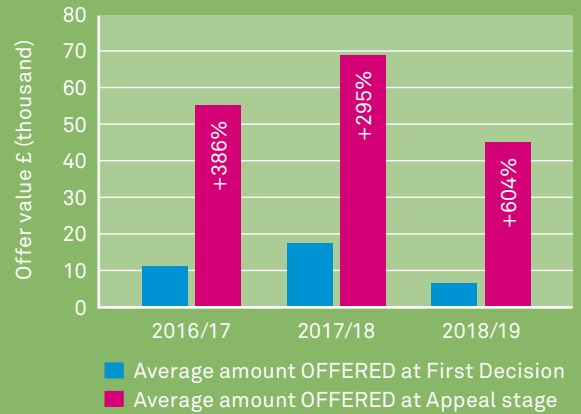
In January, APIL carried out research to support its response to the Government’s call for evidence on the discount rate. Of those individuals who had a claim affected by the discount rate:

- A quarter were aged between 20 and 29;
- 70 per cent were men;
- 53 per cent were single.

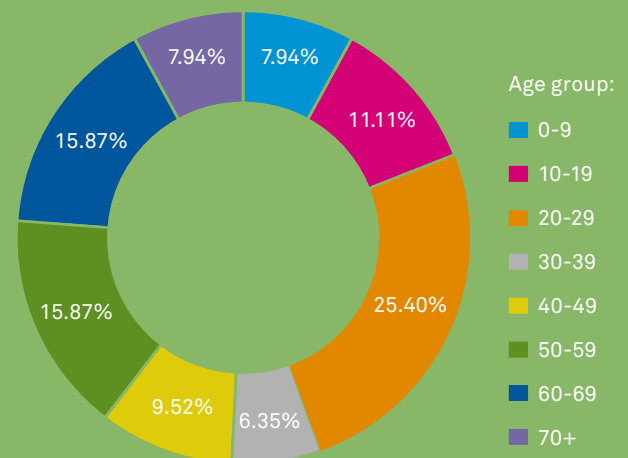
■ CICA FOI response: Offers before and after internal review



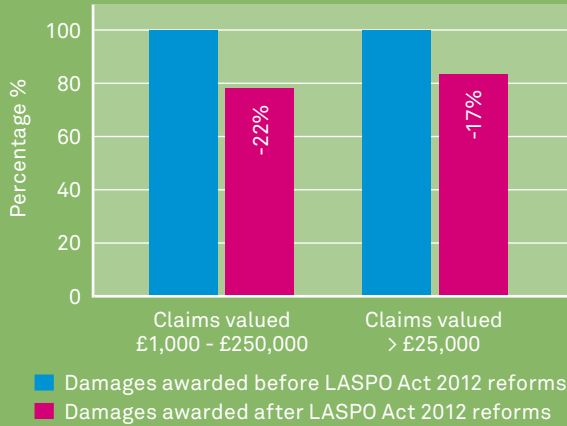
■ CICA FOI response: Offers before and after appeal



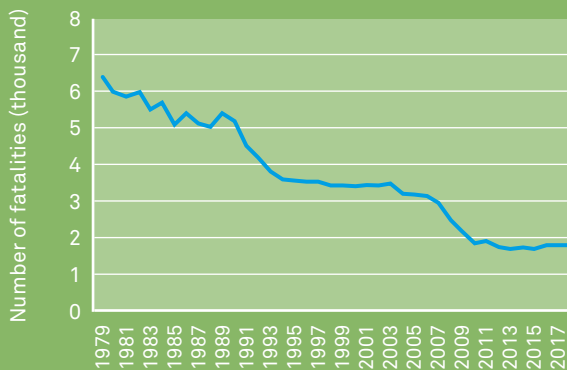
■ Claimants affected by the discount rate: Age at claim settlement



■ There has been a significant fall in damages awarded following the introduction of the LASPO Act 2012 reforms



■ Progress in cutting road deaths has flatlined since 2010



■ Since 2013/14, there has been a 67% increase in the time taken by NHSR to settle a clinical negligence claim



Damages down in post-LASPO claims

Research published in February highlighted the unintended consequences of the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012 reforms. According to the research, which compared pre- and post-LASPO claims, there has been a significant fall in damages:

- Damages are 22 per cent lower in post-LASPO clinical negligence claims valued between £1,000 - £250,000;
- Damages are 17 per cent lower in post-LASPO personal injury claims valued over £25,000.

The research was carried out by Professor Paul Fenn and Professor Neil Rickman.



Image: ©Oxyman CC BY-SA-3.0

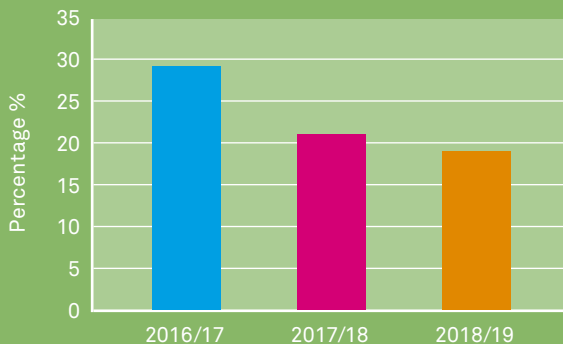
Progress in cutting road deaths stalling

Analysis of Government figures published in September highlighted how progress in cutting road fatalities has stalled since 2010. After falling by 71 per cent between 1979 and 2010, the number of fatalities has barely changed.

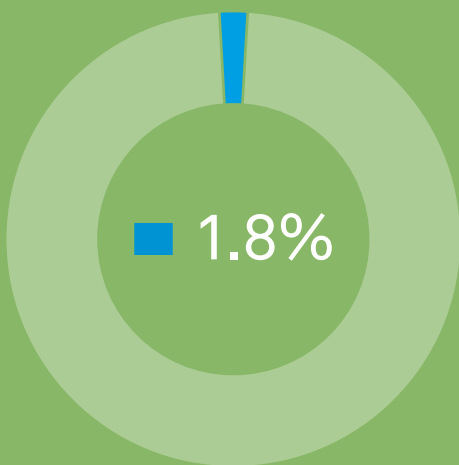
NHS Resolution (NHSR) figures show increase in time taken to settle clinical negligence claims

Figures released to APIL under the Freedom of Information Act added credence to concerns that there is a “deny, delay, defend” culture in the NHS. Over the past six years, the time taken by NHSR to settle a clinical negligence claim has increased by over a year, from an average of 717 days in 2013/14 to 1,197 days in 2018/19.

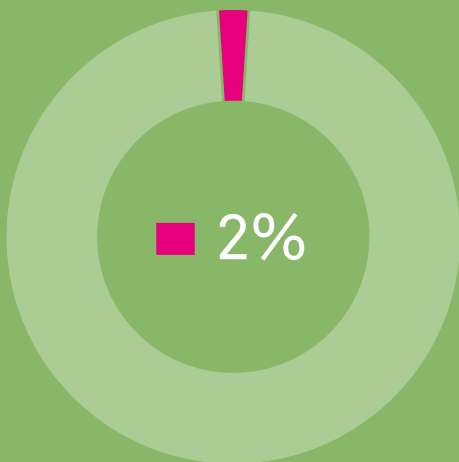
■ In just three years, claimant legal costs as a share of total clinical negligence spending has fallen from 29% to 19%



■ In 2018/19, clinical negligence claims represented just 1.8% of all health spending



■ In 2018/19, just 2 per cent of patient safety incidents that resulted in harm became clinical negligence claims



NHSR annual report

Analysis of NHSR’s annual report put the cost of clinical negligence claims into context:

- In 2018/19, the cost of clinical negligence claims represented just 1.8 per cent of all health spending
- Claimant legal costs as a share of total clinical negligence spending has fallen from 29 per cent in 2016/17 to 19 per cent in 2018/19
- In 2018/19, there were over half a million patient safety incidents which resulted in harm. Just two per cent of these incidents resulted in a clinical negligence claim against the NHS.

Engagement panel

In October, 150 APIL members joined our new engagement panel, providing their thoughts and ideas about a range of topics, including APIL’s future direction and the wider personal injury sector. Thank you to all those members who have agreed to take part.

150

MEMBERS JOINED OUR NEW ENGAGEMENT PANEL THAT WILL HELP SHAPE APIL’S FUTURE

PUBLISHING AND PUBLICATIONS – PAPER AND ONLINE

APIL Guides and Loose-leaf

Lexis-Nexis publishes the APIL Guides and loose-leaf publication. This year there were new editions published for: *APIL Guide to Occupational Illness Claims* (3rd ed); *APIL Guide to Fatal Accidents* (4th ed) and the *APIL Guide to Catastrophic Injury Claims* (3rd ed).

PI Focus

This is APIL's leading members' publication, covering a wide range of topics written by barristers, solicitors, experts and other professionals. Articles covered a range of topical subjects including IVF clinics and valid consent; Athens Convention; discount rate; costs issues; robotics in surgery; immunotherapy; fundamental dishonesty; wrongful birth; fatal claims; coroners and suicide verdicts; acoustic shock; the new online court; Q Fever in the military; vicarious liability and the office party; smart motorways; mediation and claims involving impaired sleep.

Journal of Personal Injury Law (JPIL)

JPIL is published by Thomson Reuters in conjunction with APIL. The quarterly journal's editorial board had a few changes this year as Colin Ettinger, the general editor retired from the board and Jeremy Ford of 9 Gough Square took up the position. James Goudkamp also retired from the board this year, with Clare Johnston of Kennedys taking the vacant position on the board. Finally, Annette Morris was seriously injured in an accident this year: the editorial board agreed to temporarily appoint Professor Ahmed Masood from

Leicester University to cover Annette's place on the board. Annette's recovery continues and APIL wishes her well in the coming year.

Directory of experts & rehabilitation services providers

APIL's annual directory of experts and rehabilitation services providers is one of the benefits for experts who have enrolled onto APIL's expert database. It is also an important reference tool for members, forming an essential part of APIL's communication network. The directory includes listings for rehabilitation services providers and support organisations, too, and is also published online.

Information Exchange Service and discussion forums

The information exchange service provides an online source of case reports, discussion papers, notes on best practice along with the expert database, insurer search facilities, an archive of past issues of the Journal of Personal Injury Law (JPIL), solicitor and barrister search functions, and various guidance and codes. Ten online discussion forums allow members to interact with each other and the APIL office.

apil.org.uk

Improvements have been made to the website including more prominence given to news and campaigns on the homepage. The APIL training homepage has been upgraded to include snippets of course content and photographs of speakers, making it easier for users to find relevant training.

The groups section has been improved and lists all forthcoming meetings with topics and speaker photographs, resulting in a more attractive page for potential attendees. Online registration for members (free for most meetings)

and non-members is encouraging take up and potentially, new members.

New navigation has been implemented within the expert witness search, increasing the likelihood of the most appropriate expert search results which now include a brief description and photograph for those experts with an enhanced listing. Members can also submit questions directly to experts via a form on the expert's profile page.

Listen to training on-the-go

Our digital training offering has been expanded to allow for the download of webinar recordings in audio-only format. These are included in the purchase price and can be accessed via mobile phones and tablets in a similar way to playing podcasts.

Webinars on demand

Previously broadcast webinars are now also available on demand via a new area at apil.org.uk. Delegates can purchase webinars which took place during the previous six month period.

Conference app

A new mobile app has been developed to supplement APIL conferences. The app can be made accessible from the home screen on Android, iPhone and iPads giving access to news, timetables and exhibitor details.



CONFERENCES AND TRAINING

Training and Accreditation Committee

The committee met four times in 2019. The terms of reference for the committee were reviewed and amended, along with the criteria for training course proposals and selection of speakers.

Michael Imperato was elected onto the committee in April and became chair in July, succeeding Colin Ettinger. Our thanks go to Colin Ettinger for his work over the years. Following the success of the previous year, fellows and junior litigators were invited to take part in the first part of the meeting in July putting forward their ideas for the future of APIL's training and accreditation offerings.

AGM & Annual conference 2019 – Hilton Birmingham Metropole

The theme for this year was “*making a difference*” and included a special keynote address by The Right Honourable Lord Reed, now president of the Supreme Court.

The programme included sessions on:

- the impact of Brexit on personal injury litigation and the challenges ahead;
- implementing change and modernisation in the civil courts;
- personal injury – supporting the profession;
- Civil Liability Bill and whiplash reform – the new IT platform and;
- JPIL case and comment.

Over 20 workshops were split into four seminar streams:

- Acting for elderly and vulnerable clients;
- Business skills;
- Fast track and multi-track claims;
- Occupational health and disease claims.

We were delighted to welcome back Charles Stanley Wealth Managers as principal sponsor. The 251 attendees included 119 delegates, 42 speakers, six sponsor representatives, 84 exhibitor representatives. A total of 39 exhibition stands were sold, with a further three stands provided for charities.

Advanced brain and spinal cord injury conference – Celtic Manor Resort

Sponsored by 9 Gough Square, 119 delegates heard an array of specialist experts and lawyers delivering cutting edge topics relating to brain and spinal cord injury cases. In total there were 212 attendees, including 19 speakers, 14 sponsor representatives and 60 exhibitor representatives.

APIL clinical negligence conference – Hilton Brighton Metropole

APIL's leading 2019 conference was enjoyed by 304 attendees: 214 delegates, 16 speakers, 16 sponsor representatives and 58 exhibitor representatives.

The digestive system was the theme this year. Wealthflow LLP, Edinburgh, was the principal sponsor and all exhibition space was sold.





One day conferences

Four one-day conferences were presented during 2019 covering the subjects of abuse, asbestos, military, and accidents and illnesses abroad claims:

- Abuse conference**
 Located at the Leonardo Royal London City Hotel, this conference ran in conjunction with the Association of Child Abuse Lawyers (ACAL). Highlights of the day included an opening address covering 'research and controversy around child sexual exploitation' and the 'legal regulation of image based sexual abuse'. In total, there were 81 attendees: 68 delegates and 13 speakers.
- Asbestos conference**
 Strange Strange and Gardner, consulting forensic engineers, sponsored this conference which included a keynote address from Dr Jukka Takala, International Commission on Occupational Health. The conference ran in Manchester with 112 attendees: 98 delegates, 12 speakers and two sponsors.
- Military claims conference**
 This event took place at the prestigious One Whitehall Place, The Royal Horseguards. It was sponsored by MLA Ltd with 65 delegates. Seminars covered topics including claims for harassment, bullying and psychiatric injury and causation in psychiatric injury.

- Accidents and illnesses abroad conference**
 Outer Temple Chambers sponsored and contributed to this annual conference for international and UK delegates. The programme included sessions on Brexit implications, drones, automated vehicles, along with a spotlight on Portugal.

Courses and webinars

There were 65 training courses held throughout the UK in 2019, reaching a total of 1,411 delegates overall.

APIL's best seller training courses were:

- Clinical negligence update 2019
- Running a brain injury case - the fundamentals 201
- Legal training for case managers" (new this year).

APIL also developed the new 'legal training for expert witnesses Parts 1 and 2'. This initiative is aimed at case manager and experts training, developed to inform the wider personal injury sector and broaden the profile of APIL and its members. APIL tier 1 experts are awarded with one star for completion of part one and two stars for completion of both courses which they can use as part of their marketing profile within APIL and elsewhere.

A further 27 courses were taken in-house or ran as consortiums. APIL also worked with Central Law Training on an online learning platform providing an introduction to personal injury for those who are new to this area of work.

Webinars

APIL's online training has continued to increase in popularity and a total of 48 webinars were held this year.

The most popular webinars were

- Success fees, ATE premiums and business models - *Herbert v HH Law Ltd* [2019] and
- How to use the Ogden Tables: a practical explanation.

Members also logged in to the complimentary quarterly review webinars, which give an update on current activity within the sector and at APIL.

“There were 65 training courses held throughout the UK in 2019 ... a further 27 courses were taken in-house or ran as consortiums”

Training on social media

The membership and training Facebook page has 425 followers and on Twitter, two accounts promote training and specialist accreditation: @apiltraining has 3,237 followers and @pispécialists has 1,557 followers.

Groups

A full review of the groups took place during the year, with the aim of increasing attendances and frequency of meetings. Private LinkedIn groups were established so that members can get in touch with one another.

In total, 35 meetings were held. The highest attendance was at the North West meeting in September which focussed on fundamental dishonesty and surveillance.

The junior litigators group also enjoyed a good revival at its meeting in November.

Details of all group meetings can now be viewed on Facebook and Twitter (@apiltraining).



Grahame Aldous QC

Accreditation

Congratulations go to Grahame Aldous QC who was awarded senior fellowship at the annual conference in May. Grahame is the first QC and barrister to be awarded this highest accolade.

Military quality mark

A new quality mark for military claims specialists was introduced for members in England and Wales in December.

Scotland

There are two new accreditations available to Scottish members: the Specialist Counsel accredited level which is available to advocates and the Fatal Accident Specialist accreditation which is available to senior litigators and fellows in Scotland.



Our thanks go to all members who have helped us to develop these additional competence standards throughout the year.

In-house accredited firms

The 68 firms with in-house accreditation can ensure that all accredited members at their firms accrue their CPD hours through training delivered within the firm. Monitoring of the training took place by checking quarterly returns submitted by each firm and reviews of training materials.

Corporate monitoring

Twelve firms were visited during 2019 to ensure that APIL's quality standards were being maintained. All firms passed their inspections. Firms and partners appreciate the benefits of speaking to APIL assessors on site visits, which are regarded as management consultancy days.

As a result of the visits, the criteria for corporate accreditation were reviewed to reflect changes within firms. Assessors met at the end of November to discuss the outcomes from the visits, review the format of the day for the future, and consider the newly amended criteria.



STATISTICS

Membership

APIL corporate membership offers continued to be well received by firms with multiple memberships. By the end of 2019, APIL had 3,446 members, consisting of 2,998 paid-up members and 448 complimentary members.

Membership by category

Academic members	9
Associate members	85
Barrister members	35
Honorary members	21
Junior barrister member	2
Non-practising member	31
Overseas members	82
Paralegal members	273
Practitioner members	2799
Practitioner barrister members	99
Student members	3
eStudent members	9
	3,446

Income was also received from a further 35 members who were archived during the year.



New members in 2019

Academic members	1
Associate members	16
Barrister members	14
Junior barrister member	1
Non-practising member	3
Overseas members	16
Paralegal members	129
Practitioner members	305
Student member	1
eStudent members	8
	494*

**Includes 182 complimentary members*

Renewals

3,434 renewals were due from 1 April 2019. 2,970 were received: an attrition rate of 13.51 per cent (2018 rate was 13.7 per cent, 2017 rate was 14.99 per cent).

Experts

There were 547 experts enrolled on the database at the end of the year. 52 new experts had been recruited and 15 expert witnesses also became associate members during 2019.

An average of 930 online searches were carried out each month, along with a further 90 enquiries direct to the APIL office. 280 categories of expertise are listed on the database.

3,446

MEMBERS AS OF DECEMBER 2019

494

NEW MEMBERS IN 2019

547

EXPERTS ENROLLED

Accreditation

Individual accreditation levels

Litigators	130
Senior litigators	665
Fellows	123
Senior fellows	10
Specialist counsel	8
Senior litigator emeritus*	16
Fellows emeritus*	12
Senior fellows emeritus*	5
Accredited members	936
Non-accredited	2477
	3413
Emeritus*	33
Total membership	3446

*Emeritus accreditation is awarded to those former accredited members who no longer carry out personal injury work as they have retired or moved into an alternative profession.

936

ACCREDITED MEMBERS

29.48%

PERCENTAGE OF ACCREDITED ELIGIBLE MEMBERS

Only practitioners, paralegals and honorary members are eligible for accreditation:

Percentage accredited eligible members 2019 **29.48 per cent**

63 members gained individual accreditation during 2019 and 257 members revalidated their accredited membership. 50 members did not revalidate and, as a result, lost their accredited status.

Accredited specialists and assessors

	Specialists	Assessors
Accidents & Illnesses abroad	11	8
Asbestos Disease	74	21
Brain Injury	57	26
Clinical Negligence	47	19
Occupational Disease	73	19
Spinal Cord Injury	13	9
Fatal Accidents	13	9
Military	7	7

In-house accredited branches of firms **68**

External training providers **54**

Corporate accredited branches of firms **149**

Public enquiries

Public enquiries by injury type 2019

Trip or slip	410
Accident at work	388
Public liability	385
Road accident	364
Clinical negligence	208
Criminal injuries	101
Occupational disease	87
Accidents and illnesses abroad	75
Not claimant personal injury	72
Abuse or assault	72
Asbestos and mesothelioma	70
Faulty products	58
Child injury	34
Beauty treatment	26
Accidents involving animals	23
Fatal accident	21
Armed forces	18
Human rights	16
Back injury or spinal injury	15
Education	8
Head injury/brain injury	7
Train, ship and plane injury	5
Sport injury	4
Environment/pollution	4

Public enquiry sources 2019

Telephone	1661
Lawyer Call Back	425
Chat	172
Email	147
APIL homepage	64
Post	2



2,471

PUBLIC ENQUIRIES IN 2019

1,661

ENQUIRIES BY TELEPHONE

apil.org.uk

Website statistics

Unique visitors	114,797
Total page views	1,134,764
Posts on the members' discussion forums	5,730

114.7k

UNIQUE VISITORS TO APIL.ORG.UK

Executive committee meetings attendance Jan – Dec 2019 (Max. four meetings)

Gordon Dalyell ^a <i>Digby Brown LLP, Edinburgh</i>	4	Oonagh McClure <i>Thompsons NI, Belfast</i>	4
Sam Elsby ^b <i>Dean Wilson Solicitors LLP, Brighton</i>	3	Neil McKinley ^{e,f} <i>JMP Solicitors, Grantham</i>	3
John McQuater <i>Atherton Godfrey LLP, Doncaster</i>	4	Jonathan Scarsbrook <i>Irwin Mitchell LLP, Sheffield</i>	4
Jill Greenfield <i>FieldFisher, London</i>	3	Shahram Sharghy <i>9 Gough Square, London</i>	3
Brett Dixon ^c <i>Smith Jones (Solicitors) Ltd, Burnley</i>	4	Suzanne Trask <i>Bolt Burdon Kemp, London</i>	4
Richard Baker ^{e,f} <i>7BR, London</i>	1	Leticia Williams ^{e,f} <i>Hodge Jones & Allen, London</i>	3
Richard Barr ^{e,f} <i>Scott-Montcrieff & Associates, Norwich</i>	3	Suzanne White <i>Leigh Day, London</i>	4
David Bott ^{d,g} <i>Bott & Company Solicitors Ltd, Wilmslow1</i>			
Bridget Collier ^{d,g} <i>FieldFisher, Mancheser</i>	0		
Colin Ettinger ^{d,g} <i>Irwin Mitchell LLP, London</i>	1		
Kim Harrison ^{e,f} <i>Slater & Gordon Lawyers, Manchester</i>	3		
Claire Hodgson ^{d,g,h} <i>SC Law, Harrow</i>	0		
Michael Imperato <i>Watkins & Gunn, Llandaff</i>	4		

^a Elected as president at AGM 16 May 2019^b Elected as vice president at AGM 16 May 2019^c Post of Immediate Past President started at AGM 16 May 2019^d Did not stand for re-election^e Elected at AGM 16 May 2019^f Out of a possible three executive committee meetings after the AGM^g Term ended at AGM^h Out of a possible one executive committee meeting before the AGM

FINANCIAL REPORT



**“APIL HAS RISEN TO MEET THE DIFFERENT
WAYS IN WHICH MEMBERS USE TRAINING
IN WHAT IS A RAPIDLY CHANGING
TECHNOLOGICAL AND SCIENTIFIC WORLD”**



JILL GREENFIELD Treasurer

A year is a long time, but when I provided this report last year, it feels like a particularly long time ago. In the new Covid-19 World in which we now live and the challenges faced in ensuring proper access to justice, the work done by APIL has been swift. Immediate moves were made to agree to a Covid -19 Protocol between APIL and FOIL ensuring fairness and a way of working to support victims of accidents. That protocol enabled our members to find solutions to litigating in the Covid -19 World, demonstrating the true value of the work of APIL.

Moving on from last year's consolidation of APIL's position following the appointment of a new CEO, Mike Benner, APIL has worked hard to maintain its upbeat financial position. Mike is making great strides in his role with both energy and commitment; he is a very valued addition to the team.

Led by Marlene Lord and her training team, APIL has risen to meet the different ways in which members use training in what is a rapidly changing technological and scientific world. Yet again, webinars have provided both good education and information for members and revenue for APIL. Overall, the contribution from training courses was as budgeted, but with webinars outperforming their individual budget. This is clearly the future for APIL and you may have noticed that following the Covid-19 Pandemic that the training

“In the new Covid-19 World in which we now live and the challenges faced in ensuring proper access to justice, the work done by APIL has been swift”

team reacted quickly providing a renewed offering specifically geared toward the urgent needs of our members. At our very first Covid- 19 Webinar we had 836 attendees. This was a free webinar and showed the strength of what APIL can do for members with new business critical seminars now available.

The number of practitioner members of all categories was lower this year but we have seen an increase in associate membership. The number of gratuitous honorary members has also increased this year. Membership subscriptions account for 36 per cent of APIL's income this year, closely followed by training activities which contributed 33 percent, residential conferences contributed 24 percent, accreditation three per cent and publishing activities added a further four per cent. Every percentage is important. It is due the continued efforts of the APIL team and the executive committee that the year ended with a small profit of £6,639.

Turnover in 2019 fell by 4.32 per cent on 2018 but operational costs came

in £23,000 under budget and were £139,000 lower than in 2018.

I am pleased to report that we have not had to make any withdrawals from APIL's reserves in 2019, which at the year-end stood at £1,070,357. The reserves remain high for the association, but in view of the on-going consultations and expected changes in the market we continue to take the view that this is an appropriate level of reserves. This year, we also ring-fenced sections of the reserves for particular projects such as future challenges in the courts or legal advice for the association's activities. It also affords the association opportunities to meet any future, as yet unknown, challenges.

Cash holdings at the end of 2019 have risen slightly this year from £1,022,315, to stand at £1,189,130.

I would also like to give credit to Donna Humphries, Head of Finance for the tremendous support in the past year that she has provided me with; it has been very much appreciated.

REPORT OF THE EXECUTIVE COMMITTEE YEAR ENDED 31 DECEMBER 2019

REPORT OF THE DIRECTORS

The directors present their report with the financial statements of the company for the year ended 31 December 2019.

Principal Activity

The principal activities of the company are to campaign for improvements in personal injury law on behalf of injured people; to promote, encourage and develop expertise in the practice of personal injury law by education and the exchange of information and knowledge.

Directors

The directors shown below have held office during the whole of the period from 1 January 2019 to the date of this report:

G Dalyell	B Dixon
S Elsby	J Greenfield
J M Imperato	O M McClure
J Scarsbrook	S Sharghy
S J Trask	S White
J McQuater	

Other changes in directors holding office are as follows:

R Baker - *appointed 16 May 2019*
R E Barr - *appointed 16 May 2019*
D E Bott - *resigned 16 May 2019*
B Collier - *resigned 16 May 2019*
C B Ettinger - *resigned 16 May 2019*
K L Harrison - *appointed 16 May 2019*
c Hodgson - *resigned 16 May 2019*
N C McKinley - *appointed 16 May 2019*
L A Williams - *appointed 16 May 2019*

Financial risk management

The company's objective regarding financial risk management is to keep exposure of price risk, credit risk, liquidity risk and cash flow risk to a minimum. The company makes sales on normal credit terms and manages the related risks through its credit control procedures. In the opinion of the Executive Committee the exposure of such risks has been assessed and at present deemed to be low and at an acceptable level for the company to continue to operate.

Qualifying third party indemnity provisions

The company maintains liability insurance for directors and officers as permitted by section 234 of the Companies Act 2006.

Statement of Directors' responsibilities

The directors are responsible for preparing the Report of the Directors and the financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial year. Under that law the directors have elected to prepare the financial statements in accordance with United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and applicable law). Under company law the directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the company and of the surplus or deficit of the company for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and accounting estimates that are reasonable and prudent.

The directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and

disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Statement as to disclosure of information to auditors

So far as the directors are aware, there is no relevant audit information (as defined by Section 418 of the Companies Act 2006) of which the company's auditors are unaware, and each director has taken all the steps that he or she ought to have taken as a director in order to make himself or herself aware of any relevant audit information and to establish that the company's auditors are aware of that information.

Auditors

The auditors, Seagrave French LLP, will be proposed for re-appointment at the forthcoming Annual General Meeting.

This report has been prepared in accordance with the provisions of Part 15 of the Companies Act 2006 relating to small companies.

Jill Greenfield, Director
On behalf of the board, 5 March 2020.

Registered office:

Association of Personal Injury Lawyers
Unit 3 Alder Court
Rennie Hogg Road
Nottingham
Nottinghamshire NG21RX

Registered number:

02889757 (England and Wales)

APIL DIRECTORS

JANUARY – DECEMBER 2019



Gordon Dalyell
President
Digby Brown LLP,
Edinburgh



Sam Elsby
Vice President
Dean Wilson Solicitors
LLP, Brighton



John McQuater
Secretary
Atherton Godfrey
LLP, Doncaster



Jill Greenfield
Treasurer
Fieldfisher,
London



Brett Dixon
Past President
Smith Jones (Solicitors)
Ltd, Burnley



Richard Baker
7BR, London



Richard Barr
Scott-Monterieff
& Associates Ltd,
Norwich



David Bott
Bott & Company
Solicitors Ltd,
Wilmslow



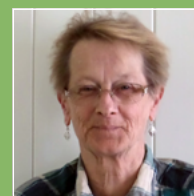
Bridget Collier
Foeldfisher,
Manchester



Colin Ettinger
Irwin Mitchell LLP,
London



Kim Harrison
Slater & Gordon
Lawyers, Manchester



Claire Hodgson
SC Law,
Harrow



Michael Imperato
Watkins & Gunn,
Llandaff



Oonagh McClure
Thompsons NI,
Belfast



Neil McKinley
JMP Solicitors,
Grantham



Jonathan Scarsbrook
Irwin Mitchell LLP,
Sheffield



Shahram Sharghy
9 Gough Square,
London



Suzanne Trask
Bolt Burdon Kemp,
London



Suzanne White
Leigh Day,
London



Leticia Williams
Hodge Jones & Allen,
London

AUDITOR'S REPORT TO THE MEMBERS

REPORT TO THE APIL MEMBERS

Principal Activity

The principal activities of the company are to campaign for improvements in personal injury law on behalf of injured people; to promote, encourage and develop expertise in the practice of personal injury law by education and the exchange of information and knowledge.

Opinion

We have audited the financial statements of Association of Personal Injury Lawyers (the 'company') for the year ended 31 December 2019 which comprise the Income Statement, Balance Sheet and Notes to the Financial Statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 'The Financial Reporting Standard applicable in the UK and Republic of Ireland' (United Kingdom Generally Accepted Accounting Practice).

In our opinion the financial statements:

- give a true and fair view of the state of the company's affairs as at 31 December 2019 and of its surplus for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditors' responsibilities for the audit of the financial statements section of our report. We are independent of the company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern

We have nothing to report in respect of the following matters in relation to which the ISAs (UK) require us to report to you where:

- the directors' use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the directors have not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the company's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

Other Information

The directors are responsible for the other information. The other information comprises the Information in the Report of the Directors, but does not include the financial statements and our Report of the Auditors thereon.

Our opinion on the financial statements does not cover the other information and, except to the extent otherwise

explicitly stated in our report, we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether there is a material misstatement in the financial statements or a material misstatement of the other information. If based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report in this regard.

Opinions on other matters prescribed by the Companies Act 2006

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the Report of the Directors for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the Report of the Directors has been prepared in accordance with applicable legal requirements.

Matters on which we are required to report by exception

In the light of the knowledge and understanding of the company and its environment obtained in the course of the audit, we have not identified material misstatements in the Report of the Directors.

We have nothing to report in respect of the following matters where the

Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- the financial statements are not in agreement with the accounting records and returns; or certain disclosures of directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit; or
- the directors were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies' exemption from the requirement to prepare a Strategic Report or in preparing the Report of the Directors.

Responsibilities of directors

As explained more fully in the Statement of Directors' Responsibilities set out on page three, the directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the directors determine necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the directors are responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the company or to cease operations, or have no realistic alternative but to do so.

Auditors' responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue a Report of the Auditors that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at www.frc.org.uk/auditorsresponsibilities. This description forms part of our Report of the Auditors.

Use of our report

This report is made solely to the company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in a Report of the Auditors and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.

Jason Seagrave ACCA, Senior Statutory Auditor, for and on behalf of:
Seagrave French LLP Statutory Auditors
13-15 Regent Street
Nottingham
Nottinghamshire NG15BS

FINANCIAL STATEMENTS

YEAR ENDED 31 DECEMBER 2019

INCOME STATEMENT

	2019 £	2018 £
Turnover	2,092,351	2,186,853
Cost of sales	868,435	927,562
Gross surplus	1,223,916	1,259,291
Administrative expenses	1,218,901	1,285,026
Operating surplus/(deficit) ⁴	5,015	(25,735)
Interest receivable and similar income	2,667	1,725
	7,682	(24,010)
Interest payable and similar expenses	3,496	5,608
Surplus/(deficit) before taxation	4,186	(29,618)
Tax on surplus/(deficit)	(2,453)	1,134
Surplus/(deficit) for the financial year	6,639	(30,752)

The financial statements have been prepared in accordance with the provisions applicable to companies subject to the small companies regime.

The financial statements were approved by the Board of Directors on 12 March 2020 and were signed on its behalf by:

Jill Greenfield, Director

BALANCE SHEET

	2019 £	2018 £
Fixed assets		
Tangible assets ⁶	477,569	487,653
Current assets		
Debtors ⁷	132,071	182,727
Cash at bank and in hand	1,189,130	1,022,315
	1,321,201	1,205,042
Creditors		
Amounts falling due within one year ⁸	688,022	585,620
Net current assets	633,179	619,422
Total assets less current liabilities	1,110,748	1,107,075
Creditors		
Amounts falling due after more than one year ⁹	(40,391)	(40,396)
Provisions for liabilities		(2,961)
Net assets	1,070,357	1,063,718
Reserves		
Income and expenditure account ¹⁰	1,070,357	1,063,718
Members' funds	1,070,357	1,063,718

NOTES TO THE FINANCIAL STATEMENTS

1. Statutory information

Association of Personal Injury Lawyers is a private company, limited by guarantee, registered in England and Wales. The company's registered number and registered office address can be found on the Company Information page.

2. Accounting policies

Basis of preparation of the financial statements

These financial statements have been prepared in accordance with Financial Reporting Standard 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland" including the provisions of Section 1A "Small Entities" and the Companies Act 2006. The financial statements have been prepared under the historical cost convention.

Income

Membership subscriptions to the association cover a period of twelve months to 31 March each year. Subscriptions received during the year have been credited to the income and expenditure account, subject to the deferral of three months of each subscription, representing that portion attributable from 1 January 2020 to 31 March 2020.

Other income represents income from conferences, training events and publishing, and is recognised when the contractual obligations of the service for which the receipt relates have been delivered.

Tangible fixed assets

Depreciation is provided at the following annual rates in order to write off each asset over its estimated useful life:

- Land and buildings - 2% on cost
- Plant and machinery etc - 20% on cost

Taxation

Taxation for the year comprises current and deferred tax. Tax is recognised in the Income Statement, except to the extent that it relates to items recognised in other comprehensive income or directly in equity.

Current or deferred taxation assets and liabilities are not discounted.

Current tax is recognised at the amount of tax payable using the tax rates and laws that have been enacted or substantively enacted by the balance sheet date.

Deferred Tax

Deferred tax is recognised in respect of all timing differences that have originated but not reversed at the balance sheet date.

Timing differences arise from the inclusion of Income and expenses in tax assessments in periods different from those in which they are recognised in financial statements. Deferred tax is measured using tax rates and laws that have been enacted or substantively enacted by the year end and that are expected to apply to the reversal of the timing difference.

Unrelieved tax losses and other deferred tax assets are recognised only to the extent that it is probable that they will be recovered against the reversal of deferred tax liabilities or other future taxable profits.

Pension costs and other post-retirement benefits

The company operates a defined contribution pension scheme. Contributions payable to the company's pension scheme are charged to profit or loss in the period to which they relate.

Hire purchase and leasing commitments

Rentals paid under operating leases are charged to surplus or deficit on a straight line basis over the period of the lease.

3. Employees and directors

The average number of employees during the year was 26 (2018- 23).

4. Operating surplus/(deficit)

The operating surplus (2018 - operating deficit) is stated after charging:

	2019 £	2018 £
Depreciation - owned assets	17,169	16,659

58%

**GROSS PROFIT MARGIN
2019 YEAR END**

0.2%

**NET PROFIT MARGIN
2019 YEAR END**

5. Membership Subscriptions

Member	2019 No	2018 No	2019 £	2018 £
Practitioner	2,695	2,841	597,115	630,660
Student	3	11	195	455
Paralegal	102	105	12,504	13,105
Academic	7	6	735	630
Overseas	79	85	9,176	9,545
Associate	63	59	10,405	9,440
Barrister	60	72	12,255	11,415
Other	11	6	2,005	1,205
Honorary	462	227	-	-
Total	3,482	3,412	644,390	676,455

Add deferred income brought forward	168,434	168,440
Less deferred income brought forward	(160,561)	(168,434)
	652,263	676,461

Corporate accreditation income received in the year	53,860	54,267
Add deferred income brought forward	20,587	20,618
Less deferred income brought forward	(18,163)	(20,587)
	56,284	54,298
Total	708,547	730,759

6. Tangible fixed assets

Cost	Land and buildings £	Plant and machinery £	Totals £
At 1 January 2019	577,135	43,387	620,522
Additions	-	7,085	7,085
At 31 December 2019	577,135	50,472	627,607

Depreciation

At 1 January 2019	103,884	28,985	132,869
Charge for the year	11,543	5,626	17,169
At 31 December 2019	115,427	34,611	150,038

Net book value

At 31 December 2019	461,708	15,861	477,569
At 31 December 2018	473,251	14,402	487,653

7. Debtors: Amounts falling due within one year

	2019 £	2018 £
Trade debtors	74,400	72,658
Other debtors	57,671	110,069
	132,071	182,727

8. Creditors: Amounts falling due within one year

	2019 £	2018 £
Trade creditors	58,007	114,186
Taxation and social security	63,076	16,320
Other creditors	566,939	455,114
	688,022	585,620

9. Creditors: Amounts falling due after more than one year

	2019 £	2018 £
Other creditors	40,391	40,396

10. Reserves

Income & Expenditure Account

	£
At 1 January 2019	1,063,718
Deficit for the year	6,639
At 31 December 2019	1,070,357

11. Related party disclosures

During the year the following amounts have been paid to directors either directly or to companies controlled by them, All transactions are at arms length and are on normal commercial terms.

	2019 £	2018 £
Training fees		
J McQuater	80,433	90,864
B Dixon	49,026	49,242
R Baker	1,806	-
S Elsby	1,271	-
C Ettinger	-	1,318

DETAILED INCOME AND EXPENDITURE

	2019 £	2018 £
Turnover		
Membership and Accreditation	802,060	821,255
Conference, SIGS and regional meetings	514,355	576,165
Training events	696,220	716,822
Publishing	79,716	72,611
	2,092,351	2,186,853

Cost of sales		
Membership	20,217	15,095
Conference	334,872	383,459
Training events	383,431	407,834
Legal affairs and research	19,996	15,544
Publishing	79,827	80,775
Public affair	31,277	28,063
Mediators	(1,185)	(3,208)
	868,435	927,562

Gross Surplus	1,223,916	1,259,291
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Other income

Deposit account interest	2,667	1,725
	1,226,583	1,261,016

Expenditure

Property costs	52,487	53,443
Insurance	7,788	7,857
Wages	767,046	714,594
Social security	72,347	79,320
Pensions	55,396	46,831
Severance pay	11,485	138,998
Telephone	20,034	22,017
Printing, post and stationery	48,714	45,337
Travelling	6,466	9,050
Staff training	8,341	2,663
Other costs	39,714	53,496
Executive committee	31,557	29,381
IT costs	19,179	18,298
Sundry expenses	-	1,818
Strategic alliance	-	-
Auditors' remuneration	4,997	4,500
Legal and professional fees	38,203	25,075
	1,183,754	1,252,678

Carried forward	42,829	8,338
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Finance costs

Bank charges	3,226	2,104
Credit card	14,753	13,216
Mortgage interest	3,496	5,608
	21,475	20,928

Depreciation

Plant and machinery	17,168	17,028
Net surplus/(deficit)	4,186	(29,618)



UNIT 3 ALDER COURT,
RENNIE HOGG ROAD,
NOTTINGHAM
NG2 1RX

