

# 2020 Annual Report & Accounts



Building a  
Brighter Future  
for Injured People



## THE ASSOCIATION OF PERSONAL INJURY LAWYERS' 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 members.



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“THIS HAS BEEN A STRANGE, CHALLENGING YEAR. APIL HAS NOT ONLY RISEN TO THOSE CHALLENGES BUT WILL TAKE MANY OF THE ACCELERATED CHANGES FORWARD FOR THE BENEFIT OF THE ORGANISATION; ITS MEMBERS AND INJURED PEOPLE.”



SAM ELSBY  
President

This has been a strange, challenging year. APIL has not only risen to those challenges but will take many of the accelerated changes forward for the benefit of the organisation; its members and injured people. It has been a pleasure to serve as your President when, despite the additional challenges due to the pandemic, we not only continued to deliver our usual activities, we also launched our new vision for the future and the biggest PR campaign in our history, Rebuilding Shattered Lives.

APIL has always welcomed dialogue with defendant organisations and links between us and the Forum of Insurance Lawyers (FOIL) are long-established. The first lockdown brought several organisations together and resulted in APIL and FOIL cooperating on a guide to Best Practice, to deal with some practical 'lockdown' issues. APIL and FOIL also endorsed the Association of British Insurers (ABI)/Thompsons limitation agreement at a time when the courts were effectively closed for business. The APIL/FOIL Best Practice guides continue and are on the APIL website. They are only part of APIL's comprehensive, practical and informative regular 'Lockdown Update' email sent to all members.

APIL and FOIL are close to agreeing a trial expansion of the Serious Injury Guide, to cover most Multi-Track cases. Legal Affairs has been

co-coordinating this dialogue, and I urge firms that are not current signatories to consider signing up.

In Legal Affairs it was surprising what a heavy year 2020 was for government consultations, where APIL was invited to respond. Many were road traffic/accident related and looked ahead to new vehicle technology. APIL's emphasis was always on safety and what we regard as essential to that – public education. A study instigated by Public Affairs highlighted this, revealing that 56 per cent of non-drivers did not realise that a vehicle's rear white light meant that it was either reversing or about to reverse.

Public Affairs was equally busy, with no let-up to press enquiries, and taking the lead on APIL's campaign to make changes to the Overseas Operations (Service Personnel & Veterans) Bill. The preparation and presentation of our position at Bill Committee Stage in October was exceptional, and impressed many MPs. I sincerely hope that this iniquitous Bill, which restricts the rights of injured veterans and armed-forces personnel under the guise of helping them, does not reach the statute books in its current form.

The APIL department most affected by lockdown and social distancing has been Membership Services. To use a word of the moment they have had to 'pivot' from delivering

live training with some webinars, to providing all training remotely. This has required a tremendous logistical and IT effort by all concerned. Training is a vital source of income as well as a key tool in our strategic aim to drive excellence. The success of APIL's remote learning provision has resulted in our financial position being far ahead of even our best-case budget forecast as of April 2020 without a reduction in the quality of our training.

As president, I have benefitted immensely from the wisdom and direct support of APIL's committed staff and, this year particularly, we all owe the APIL team a huge debt. I have also had the good fortune to have Mike Benner in post as CEO who had already, to borrow Gordon Dalyell's words from last year, 'hit the ground running'. He has set the vision for APIL's future. I am also grateful to members of the EC, other volunteers and many APIL members who have always been prepared to assist me.

I hope that our next President Neil McKinley takes heart from knowing that so many people will be 100 per cent behind him. I wish him every success.

“I have benefitted immensely from the wisdom and direct support of APIL's committed staff and, this year particularly, we all owe the APIL team a huge debt. I have also had the good fortune to have Mike Benner in post as CEO who had already, to borrow Gordon Dalyell's words from last year, 'hit the ground running'.”



“2020 WAS A YEAR DOMINATED BY THE GLOBAL PANDEMIC. APIL, LIKE ALL ORGANISATIONS, HAS BEEN SIGNIFICANTLY AFFECTED BY THE RESTRICTIONS WHICH HAVE BEEN IMPOSED AS A RESULT OF THE CRISIS.”



JOHN MCQUATER  
Secretary

2020 was a year dominated by the global pandemic. APIL, like all organisations, has been significantly affected by the restrictions which have been imposed as a result of the crisis.

It is to the huge credit of the CEO and the senior management board (SMB), and indeed all the staff, that the organisation was able to quickly adapt to different ways of working and, throughout the year, has maintained all the usual activities on law reform, lobbying, training, accreditation and events (even though these have had to be held remotely).

Sam Elsby, elected president in 2020, has played an important role steering the organisation through these difficult times, along with vice presidents Brett Dixon and Jonathan Scarsbrook together with our treasurer Jill Greenfield. I am grateful to all of them for their work and commitment to the organisation.

2021 will see the election of Neil McKinley as our new president, with Jill Greenfield being elected for another term as treasurer.

I would like to thank all members of the Executive Committee (EC) and to congratulate Pauline Roberts, who has been newly elected, as well as Michael Imperato, Oonagh McClure and Suzanne Trask, all of whom were re-elected.

During the year the organisation welcomed Meyer Hazard, who is providing maternity cover for Alice Taylor, and Dan Collins. Sarah Hudson and Wendy York left the organisation and we wish them well for the future. The staff head count, as at 31 December 2020, remains at 25.

During the year APIL has been undertaking some important work including arrangements to enable the appointment of lay EC members and the creation of a remuneration and appointments committee.

It is intended that the introduction of non-lawyers to the EC will help bring a fresh perspective to our activities, giving views on our decision and policy making processes and new areas of expertise which will benefit the EC and wide membership. Proposed changes to the articles of association, to allow for this development, will be put to the 2021 AGM for approval.

The Remuneration and Appointments Committee has been set up as part of our ongoing governance review, the remit covering the setting of speaker fees as well as the power to identify and propose the appointment of lay EC members.

“During the year APIL has been undertaking some important work including arrangements to enable the appointment of lay EC members and the creation of a remuneration and appointments committee.”

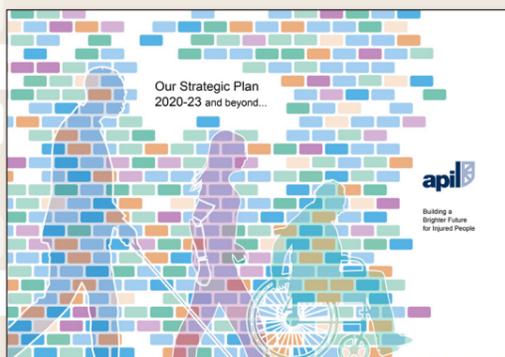
During the year APIL has completed the registration of its Trade Mark with the European Union Intellectual Property Office, so this is protected on the continent recognising that our brand is a valuable commodity which needed protection beyond the UK. This step has allowed the organisation to take successful action preventing an ongoing misuse of the Trade Mark in the Republic of Ireland.

On a personal level I am pleased to have remained in contact with many members, even if remotely, during the year through training events and meetings which are such an important aspect of the work APIL does through sharing best practice and providing mutual support.

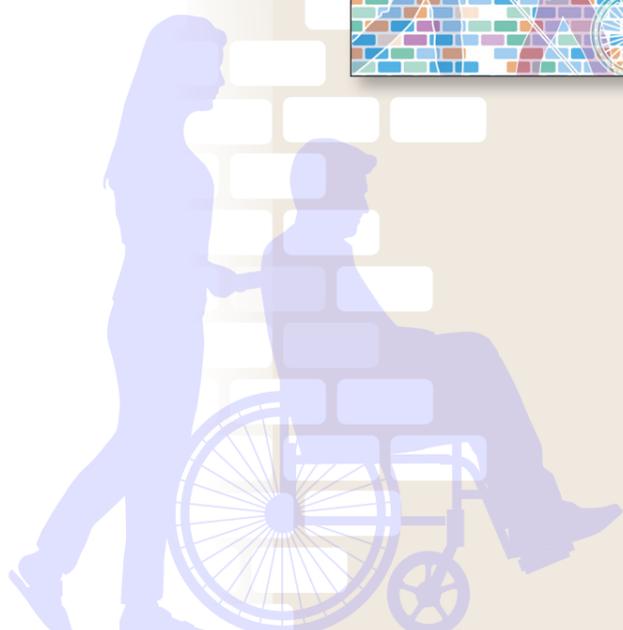


## WELCOME TO THE 2020 ANNUAL REPORT.

THIS YEAR'S REPORT LOOKS QUITE DIFFERENT TO PREVIOUS VERSIONS AS IT BEGINS THE PROCESS OF REPORTING BACK AGAINST OUR STRATEGIC PLAN, 'BUILDING A BRIGHTER FUTURE FOR INJURED PEOPLE' WHICH WAS LAUNCHED TOWARDS THE END OF THE YEAR IN OCTOBER. YOU CAN FIND THE PLAN [HERE](#)



MIKE BENNER  
Chief Executive Officer



As we have not had our plan in place for the whole year, this report is transitional. Our strategic plan sets out our vision and the impacts we would like to see as a result of our work and in future years we will be able to report fully on our progress against these ambitions.

We have structured our report around the four pillars of activity which form our strategic plan.

By 2030 we want to see a significant reduction in needless injuries and a system which delivers full and prompt redress to enable needlessly injured people to rebuild their lives. Within the life of our plan our ambitions are:

- 1 Most people will recognise and value the contribution of PI lawyers in our society in rebuilding the lives of injured people;
- 2 To stamp out misconceptions such as 'the compensation culture' and 'ambulance chasers' and build positive perceptions;
- 3 There will be widespread support for a national strategy for injury prevention;
- 4 The wellbeing of injured people will be at the centre of relevant government policy;
- 5 APIL members will be recognised as providing the best in legal representation for needlessly injured people;
- 6 APIL will have the highest standards in governance and management

### PURPOSE

We are clear about our purpose and our place in the world and this is reflected in our vision and mission statements.

### OUR TEN YEAR VISION

Our vision is of a society without needless injury, but when people are injured they receive the justice they need to rebuild their lives.

### OUR TEN YEAR MISSION

We aim to lead the way as the trusted voice of all needlessly injured people by:

- Driving excellence in legal representation
- Campaigning to ensure prompt and full redress
- Working to prevent injury caused by the negligence of others

### FOUR PILLARS OF ACTIVITY



Whatever your personal take on 2020 may be – a year to forget or a year to remember – I hope that it will be a year that makes a lasting difference to the way our Society treats needlessly injured people. Will increased public focus on the safety and wellbeing of people translate to the empathy injured people deserve in their time of need and will that lead to a renewed focus on putting injured people first in proposed reforms and a more strategic approach to injury prevention? Certainly, as the impacts of the pandemic on all aspects of our way of life finally begin to subside, there will be many voices calling for many things to change as a result of the lessons we have learned. As the voice of the needlessly injured, APIL will be at the forefront of working to prevent needless injury and ensuring access to justice for those who are injured.

Against the backdrop of an extraordinary year the importance of setting out a long-term vision for a brighter future for injured people has been paramount and the publication of our strategic plan in October is a big milestone in the organisation's thirtieth year of campaigning. We begin 2021, faced with ongoing challenges, with a very clear idea of what we want to achieve.

It has not, though, just been a year of reviews and planning. It has been a year of action with a re-energised approach to our activities and a passion and genuine enthusiasm to get the job done regardless of the many unexpected obstacles which came our way.

On the campaigning front, in the autumn we launched 'Rebuilding Shattered Lives', the biggest PR campaign in our history. By the end of the year it had already reached half a million people through social media and responses have been universally positive. It has been a great start to our strategic aim to rebuild public trust in personal injury law.

In August Injury Prevention Week built on the previous day-long initiative and successfully engaged many members, MPs and the public in raising the profile of this essential part of our work. This was accompanied by the groundbreaking 'Prevention Better than Cure' report from the IPPR, made possible due to a donation from APIL. The report's recommendations set a vision which resonated during the pandemic, not least in calling for a cross-sector strategy for injury prevention.

Our impact on future legislation and regulation, including our lobbying against certain appalling aspects of the Overseas Operations (Service Personnel and Veterans) Bill is likely to be very significant. We made submissions to no fewer than 19 Government consultations, always challenging the impact of reform and fighting the corner for injured people.

Alongside our campaigning work, we have worked hard to maintain services for our members. We aim to provide members with the benefits and services they need when they need them and our focus on this mantra led to practical measures through partnerships with others such as FOIL on a set of standard practices during the pandemic and our regular Lockdown Update. We understand the heightened pressure and anxiety which the pandemic has caused for many members and I hope that feeling part of the APIL community has proved valuable you.

It is encouraging that we end the year with over 3,000 members. Your membership, support and commitment is our backbone and I hope you have been able to engage with our activities during this extraordinary year. Thank you to all our members.

Despite the commercial challenges facing the organisation, our decision to 'go virtual' with all our events was a catalyst for our revised business plans to deliver excellence in our training and the kind of content members needed. We ran five virtual conferences and a record-breaking 92 webinars alongside our training courses, bringing access to many more members on many more subjects. We ran over thirty regional and special interest group meetings virtually which lead to very significant increases in attendance for many.

One of the impacts we expect from our new strategy is that we will have the highest standards in governance and management. In 2020 the EC adopted the Good Governance Code as a framework and this has already led to a number of improvements in the making including steps to enable laypersons to sit on the EC alongside lawyer members and the creation of a diversity committee to ensure we are leading the way in equality, diversity and inclusion. These steps will be critical in ensuring our ability to deliver our challenging ambitions for the future.

The SMB at APIL has not only stepped up in its engagement with members, but it has ensured that our major planned projects for the year have been delivered. The SMB has worked tirelessly with its teams and our army of volunteer members to get things done.

Like many organisations, we had to take various steps to maintain our operations while having to work from home and all our staff have worked tightly as a team to ensure a seamless transition.

Our financial performance for the year is strong. Despite concerns early in the pandemic, careful planning, cost management, regular review and a creative business plan delivered and we ended the year

around break-even. This is all the more impressive given significant investment in major projects such as phase one of Rebuilding Shattered Lives. We took bold decisions balancing short-term operational nerves with our mission and we did not let the pandemic knock our plans off-track despite increased financial risk and uncertainty.

Finally, a thank you to our exceptional staff team who have delivered the goods and put up with endless Zoom meetings. Thank you also to the members of the EC and our officers for their hard work and support and to all of you who volunteer in APIL through our group work and in many other ways.

In the following pages, I hope you enjoy reading the story of our year of achievement at APIL. 2020 has shown what can be achieved by working together, staff, volunteers and our engaged members. There is much to do and I look forward to working with you all towards a brighter future for injured people.

Against the backdrop of an extraordinary year the importance of setting out a long-term vision for a brighter future for injured people has been paramount and the publication of our strategic plan in October is a big milestone in the organisation's thirtieth year of campaigning.



# ANNUAL REVIEW

## HERE ARE SOME OF THE HIGHLIGHTS FROM APIL'S YEAR:

- We published our new long-term vision and strategic plan;
- We launched **Rebuilding Shattered Lives** – the biggest PR campaign in our thirty year history;
- We worked tirelessly to maintain our campaigns, services and to support our members despite the challenges arising from the pandemic;
- Our agile approach to crisis response management delivered a strong financial performance with a break-even outcome despite investing in our key campaigns;

## SOME HIGHLIGHTS FROM OUR PUBLIC AFFAIRS TEAM:

- High profile lobbying on the Overseas Operations (Service Personnel and Veterans) Bill;
- Record support for Injury Prevention Week;
- Half a million people reached in the first weeks of the Rebuilding Shattered Lives social media campaign;
- High political profile in Scotland;
- Print press circulation of almost six million;
- Broadcast interviews on all major news outlets;



Rebuilding Shattered Lives social media campaign.

## SOME HIGHLIGHTS FROM OUR MEMBERSHIP SERVICES TEAM:

- Our crisis management response during the pandemic ensured services to members were maintained;
- Despite the disruption of the Spring Update series due to lockdown, the virtual recording enabled an increase in sales post event;
- The purchase of an app enabled the delivery of five successful conferences virtually in the Autumn to the delight of all stakeholders;
- 92 webinars ensured that members were kept fully informed during lockdown and whilst working from home;
- 17 firms continued to be trained in-house through a new virtual offering;
- The transition from in person to virtual meetings enabled group coordinators and secretaries to reach members in the more remote regions;
- Membership satisfaction continued with a total of 3,212 members by the end of the year.

## SOME HIGHLIGHTS FROM OUR LEGAL AFFAIRS TEAM:

- Collaborating across the sector including, providing limitation agreements and best practice for handling cases during the pandemic;
- Lockdown update providing a central resource for members to assist with cases handling during the pandemic;
- Research found strong public support for the principle that those injured by the NHS should receive compensation from the NHS;
- The Institute for Public Policy Research published groundbreaking research into the state of the UK's injury prevention policy made possible by an APIL donation. Supporting APIL's prevention campaign;
- Working with other organisations including HMRC, County Court Money Claims Centre (CCMCC) and FOIL to bring information and assistance to members;
- Influencing the discount rate in Northern Ireland through consultation response, liaison with civil servants and judicial review;
- Influencing change through detailed, evidenced based consultation responses, including on road safety, discount rate, retaining EU case law and pre-action protocols;



## THE APIL TEAM – in alphabetical order

 <b>Mike Benner</b> Chief Executive	 <b>Tanya Benjamin-Edwards</b> Executive Assistant	 <b>Helen Blundell</b> Legal Services Manager	 <b>Daniel Collins</b> Digital Events Organiser	 <b>Jo Donovan</b> Accounts Assistant
 <b>Sam Ellis</b> Public Affairs Officer	 <b>Lizzy Fowler</b> Press & Communications Officer	 <b>Yvette Gamble</b> Receptionist	 <b>Lorraine Gwinnutt</b> Head of Public Affairs	 <b>Jane Hartwell</b> Communications Manager
 <b>Meyer Hazard</b> Legal Policy Assistant	 <b>Donna Humphries</b> Finance Manager	 <b>Holly Humphreys</b> Accreditation Coordinator	 <b>Abi Jennings</b> Head of Legal Affairs	 <b>Anthony Lord</b> Senior Events & Marketing Officer
 <b>Marlene Lord</b> Head of Membership Services	 <b>John McGlade</b> Policy Research Officer	 <b>Jacqui Newman</b> Experts & Events Coordinator	 <b>Megan Pownall</b> Events Organiser	 <b>Robert Raizada</b> IT Manager
 <b>Kathryn Scott</b> Events Manager	 <b>Sharon Smith</b> Membership & Accreditation Manager	 <b>Alice Taylor</b> Legal Policy Officer	 <b>Alison Watson</b> HR & Welfare Adviser	 <b>Leesha Weir</b> Public Enquiries Coordinator

PILLAR 1 – REBUILD PUBLIC TRUST

Misconceptions about the role and contribution of personal injury lawyers have resulted in low public trust and confidence in the sector. This poor public perception has fuelled misguided Government intervention to the detriment of genuinely injured people and the lawyers which support them, weakening access to justice without delivering meaningful gains for consumers such as lower insurance premiums. The result has led to knee-jerk Government policy being shaped by populist, uninformed and prejudicial views. Even the image of claimants themselves has been damaged by the view that fraudulent claims increase insurance premiums. Too many injured people have felt ashamed to make a claim at a time when they needed help to recover from an injury.

This section of the report outlines the start of our work towards rebuilding public trust.



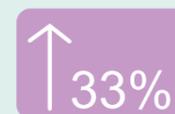
1  
Rebuild  
Public  
Trust

**#REBUILDING  
SHATTEREDLIVES**



APIL IN THE NEWS AND SOCIAL MEDIA

• Total print circulation of 5,826,302, in 2020 - an increase of 33 per cent compared to 2019.



• 221 online articles featured APIL and APIL's messages, an increase of 27 per cent compared to 2019.



• Broadcast interviews on:



SEVERE INJURY HELP HUB

In July, the Severe Injury Help Hub was launched online through the APIL website. It is a directory of resources for injured people and their families, to help them find practical answers in the immediate aftermath of an injury. It is designed to be found using online search engines.

REBUILDING SHATTERED LIVES CAMPAIGN

A comment piece by APIL's CEO was featured on the Law Society Gazette website which explained the aim of the campaign. By the end of the year, the campaign had reached half a million people on Twitter, LinkedIn, Instagram, and a new dedicated Facebook page. To help launch the campaign and ensure it reached the right people, paid promotions were used on all social media platforms. The response from the public and other organisations has been universally positive, with around 300 people sharing the content on social media by the end of the year. The centrepiece video alone generated more than 87,000 views. Two supporting videos featured interviews with a fire-fighter who was injured at work and a cyclist who was hit by a lorry. The interview with the fire-fighter was the first to be shared on social media platforms and achieved more than 73,000 views by the end of the year. APIL members were encouraged to engage with the campaign on social media by using a special 'toolkit' of resources. This is a long-term campaign for APIL, and further content for Rebuilding Shattered Lives is being developed.



1 Rebuild Public Trust

PILLAR 1 – REBUILD PUBLIC TRUST

INSTAGRAM

To help reach and educate new audiences about the realities of personal injury, a consumer-facing APIL Instagram account was launched in August. The account focusses on sharing public education content about preventing needless injury, the importance of the right to claim compensation, and correcting common myths and misconceptions about personal injury.



reaching  
**14,000**  
feeds

REBUTTING MISCONCEPTIONS

Rebuilding trust in personal injury means maintaining a zero-tolerance approach to mistakes and misinformation. The APIL Twitter account is frequently used to highlight and correct misleading or inaccurate language concerning personal injury claims in news reports. One tweet in particular clarified that 'win' and 'won' are not appropriate words to use when someone receives compensation for an injury, particularly when the recipient is a child with life-changing injuries. This was APIL's third most retweeted tweet in 2020 and reached 14,000 Twitter feeds.

**PANIC ATTACKS  
VOMITING  
FLASHBACKS  
IRRITABILITY  
NIGHT TERRORS  
INTENSE ANGER  
HYPERVIGILANCE  
INSOMNIA**

#MORETHANABADDAY

HIGHLIGHTING KEY ISSUES

To mark Mental Health Awareness Week, a series of Twitter posts were shared to highlight the effect that post-traumatic stress disorder has on armed forces personnel and veterans. The posts included quotes from case studies and news articles as well as providing contact details for support. This was all posted using the hashtag #MoreThanABadDay, which was also used by APIL members to share their messages and blogs on the subject.



CONTINUING TO CHALLENGE THE "COMPENSATION CULTURE" NARRATIVE

APIL's in-house analytical function continued to produce research which challenged the "compensation culture" narrative.

Impact of injury claims on premiums

Insurers have a track record of failing to ensure that reductions in injury claims are reflected in the premiums paid by motorists. Since the introduction of the Legal Aid, Sentencing, and Punishment of Offenders (LASPO) Act in 2013, the cost of injury claims settled by car insurers has fallen by 23%. Despite this, the average car insurance premium has increased by 17%.

↑ 17%

APIL analysis found that car insurers saved £611 million on injury claims during the pandemic, but premiums fell by just 2%. During the second and third quarter of 2020, the number of injury claims notified to car insurers was down 45% when compared to the same period in the previous year. The cost of these claims was down by 39%. This reduction represents a saving for insurers of £611 million.

saving  
**£611**  
million

Dramatic fall in the number of personal injury claims

Figures obtained by APIL under the Freedom of Information Act revealed the significant impact the pandemic has had on the volume of personal injury claims:

↓ 27%

• The total number of personal injury compensation claims in 2020 was down 27% when compared to 2019

↓ 21%

• Clinical negligence claims in 2020 were down 21% when compared to 2019

↓ 45%

• Employer liability claims in 2020 were down 45% when compared to 2019

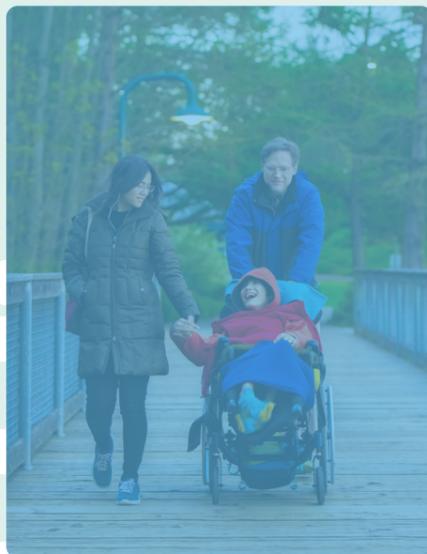
APIL's analysis of the figures from the Government's Compensation Recovery Unit (CRU) also found that the number of injury claims had been falling before the pandemic. Between 2013 and 2019, the total number of personal injury claims fell by 19%. Taking into account the drop in claims since the pandemic began, the number of personal injury claims has fallen by 40% since 2013.



### PILLAR 2- PREVENT NEEDLESS INJURY

Despite progress in the prevention of needless injury in the UK, our view is that more could be done by prioritising injury prevention through a renewed focus on public health. Injury prevention policy is far-reaching and there are many stakeholders. APIL's specific interest is in stamping out needless injury, i.e. injury caused by the negligence of others.

This section of the report highlights what has been done this year to champion this aspect of injury prevention and the work conducted with others to improve upon the current disjointed approach.



**2**  
Prevent  
Needless  
Injury



### INJURY PREVENTION WEEK

APIL's popular injury prevention day initiative was extended to a full week of activity both to reflect its growing popularity and the importance of injury prevention as a key pillar of the association's strategy.

The theme was pedestrian safety, including road safety for children, the distraction of mobile phones for pedestrians, and the Highway Code for pedestrians. A specially-commissioned YouGov survey provided evidence and content to support the event, and a print press circulation of 717,661 was reached.

On social media, the campaign was seen by more than 180,000 people and the hashtag used for the campaign reached a potential audience of two million. Fifty-three APIL members also wrote blogs about Injury Prevention Week.

MPs from across the political divide got involved with Injury Prevention Week by asking constituents if their children were 'road aware'. The Speaker of the House of Commons and former ministers were among the 28 MPs who actively supported the campaign in the press or on social media. MPs also got involved by having their photograph taken with an easy-to-use visual aid, devised and sent to them by APIL. Some politicians, including the Secretary of State for Education, as well as a member of the Shadow Cabinet, also supported other MPs' social media posts.

over  
**180,000**  
views



**HOW DO YOU KNOW IF A VEHICLE IS GOING TO REVERSE?**

**FEWER THAN HALF OF NON-DRIVERS KNEW THE ANSWER**

**LOOK OUT FOR WHITE REVERSING LIGHTS EVERY TIME YOU PASS BEHIND A VEHICLE.**

76% of drivers surveyed think motorists are less patient than they were 10 years ago and 60% said they have witnessed a higher number of road rage incidents over that time period.

Source: RAC

### SUPPORTING OTHERS

The association took part in Brake's annual Road Safety Week campaign on Twitter. APIL content focussed on road rage, with a series of graphics that included information on how to avoid aggressive driving and needless injuries.



2 Prevent Needless Injury

PILLAR 2- PREVENT NEEDLESS INJURY

IPPR RESEARCH CALLS FOR A CROSS-SECTOR INJURY PREVENTION STRATEGY

In August one of the UK's leading think-tanks, The Institute for Public Policy Research (IPPR), published groundbreaking research into the state of the UK's injury prevention policy.

The research, which was made possible by a donation from APIL, found that:

- Injuries are the leading cause of preventable death in children and young people, and of preventable years of life lost up to age 65
- Excluding transport, deaths from injuries have risen since 1990
- Although the UK has been a world leader in injury prevention policy, austerity and a lack of strategy have hampered further improvement

As a result of their findings, IPPR called on the government to treat injury prevention as a public health priority and introduce a high-level cross-sector injury prevention strategy. A key part of that strategy would be the establishment of an injury prevention commissioner to coordinate different sectors and ensure Government action.

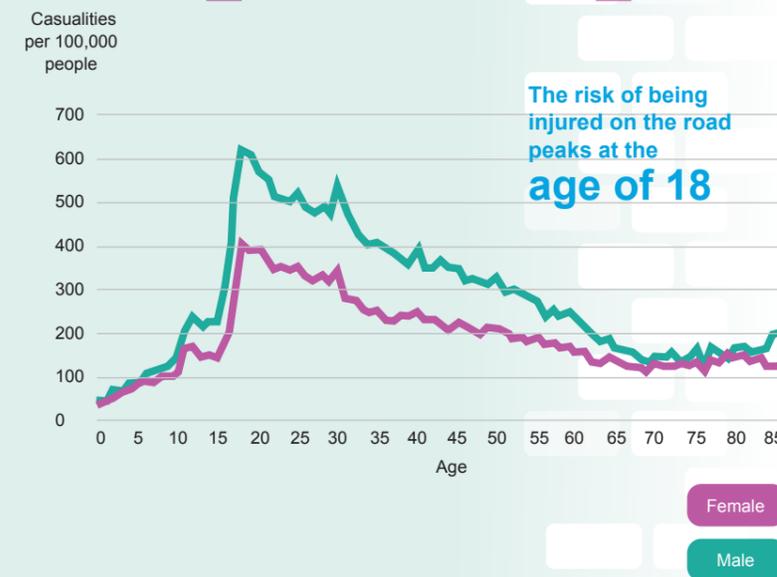
APIL and several other injury prevention stakeholders, including The Royal Society for the Prevention of Accidents, RoadPeace and Patient Safety Learning, welcomed the report's findings and recommendations.



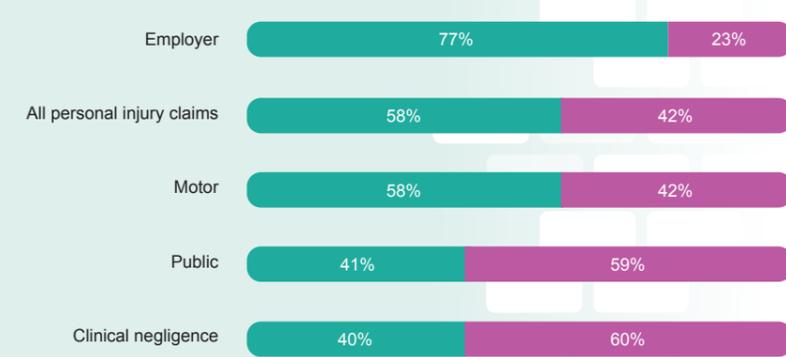
APIL RESEARCH IDENTIFIES THOSE MOST AT RISK OF INJURY

APIL research identified those groups most at risk of injury in Great Britain. The research found that:

- Young men are most likely to receive compensation for a personal injury and are most likely to be injured on the road. The risk of being injured on the road alters dramatically based on age. This risk peaks at the age of 18.
- The demographic makeup of personal injury claimants varies depending on the type of claim being made. While men make up a majority of motor and employer liability claimants, women make up a majority of public liability and clinical negligence claimants.
- There is a mismatch between those who make employer liability claims and those who are injured or become ill because of their work. Women make up 45% of people who are injured or become ill because of their work but represent just 23% of successful employer liability claimants.
- Working men aged between 16 and 24 are at greatest risk of suffering a workplace in-jury. However, female workers are more likely than male workers to suffer from an ill-ness caused or made worse by work.
- The old are most likely to be harmed by the NHS and are also most likely to make a clinical negligence claim against the NHS.



Gender breakdown of people receiving compensation for a personal injury



PILLAR 3 - PROMPT AND FULL REDRESS

APIL campaigns effectively through evidence-based, policy-driven submissions and public affairs activity taking both reactive and proactive stances as necessary. We identify and respond to arising threats and opportunities and also proactively focus on major campaigns such as bereavement damages, asbestos related diseases while also making our views known on issues such as reforms to the small claims track limit, the discount rate and future costs reforms.



3 Prompt and Full Redress



IDENTIFYING THREATS TO INJURED PEOPLE

Whiplash reform

**Whiplash - in the media**

Legal publications including The Brief, Law Society Gazette, Solicitors Journal, New Law Journal, Legal Futures, Litigation Futures, Law 360 have all published APIL's comments on various developments in personal injury law, not least the ongoing work on the whiplash reforms. Throughout the year, APIL has maintained repeatedly that crucial aspects of the reforms still need to be addressed such as the need for a proper system of alternative dispute resolution in the new claims portal. At a PI Futures panel debate in November, vice president Brett Dixon said that work outstanding on the new whiplash claims system is being "dangerously compressed to meet an artificial deadline".

Early in the year, the Financial Times reported APIL president Gordon Dalyell's concerns that work had been ongoing behind closed doors during six weeks of purdah as a result of the General Election. When a ministerial statement was published which provided an update on the status of the whiplash reforms, APIL responded again by calling for a functioning system of ADR to be included in the new portal.

**Whiplash – legal reform**

Following significant speculation about a possible delay to the implementation date an announcement was finally made on 27 February confirming the implementation date would be put back to 1 August. In April, APIL was contacted by the Ministry of Justice to confirm that the Government would be pausing work on Whiplash Reform and delaying the implementation of the whiplash reforms to at least April 2021, because of the impact of the Covid-19 pandemic.

The MIB lead several discussions with stakeholders on mixed injury claims. APIL had several representatives involved in the discussions. The claimant group has made it clear that this should not be seen as an opportunity to change the valuation of PSLA for non-whiplash type injuries. This remained an outstanding issue at the end of the year.

Following work undertaken by the low-value rehabilitation working group last year, some issues remain outstanding such as how the process will be accessed. The MoJ suggested that the next step will be to obtain industry agreement and buy-in from the Civil Procedure Rule Committee. The Cross-Industry Group fleshed out the fees proposals and process, and examined access to the process. It remains unclear whether these recommendations will be adopted in time for implementation in 2021.



**Whiplash – in Parliament**

Work continued with the shadow justice team and other parliamentarians to highlight the failings of the proposed whiplash reforms. A key area of focus has been the absence of alternative dispute resolution in the new portal, and the need for clarification about how dispute resolution will be handled in the new system through the so-called 'bespoke court process'.

The requirement of ministers to consult with the Lord Chief Justice before establishing new whiplash tariffs, as well as actual levels of the new tariffs, were other issues raised in parliament.

3  
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## PILLAR 3 - PROMPT AND FULL REDRESS

**Independent Inquiry into Child Sexual Abuse investigation into accountability and reparations to victims of historical sexual abuse- reform to the law on Limitation and redress scheme.**

In 2019 APIL had given evidence to the Independent Inquiry into Child Sexual Abuse, focus being on reforming the law of limitation to make it easier for victims and survivors to bring claims for non-recent child sexual abuse, and the potential for a redress scheme. The final hearing took place on 5 February 2020 and APIL made a closing statement to the Inquiry and a subsequent written statement. We believe there is a strong case for reform. There is an ongoing imbalance between claimants and defendants, making it routinely difficult for survivors to bring claims. The final report is expected in 2021.

**Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill**

APIL lobbied against a proposal from the Scottish Government which, if enacted, would strip some child abuse survivors of some of their legal rights. The Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill will allow for the establishment of a redress scheme for survivors of abuse in care. Those who accept a payment, however, will have to sign a waiver which will prevent them from pursuing a separate legal claim against organisations which financially contribute to the scheme.

Representations against the waiver were made in both written and oral evidence to the Education and Skills Committee of the Scottish Parliament, where APIL was represented by Kim Leslie. After hearing arguments from APIL and others, the committee recommended that the Scottish Government should consider removing the waiver from the legislation.

**Lower value claims reform- Civil Justice Council work**

After nearly three years' work, the Civil Justice Council finally reported on low-value claims reform in December. The group had been asked to consider and recommend what further reforms could be introduced for low value personal injury claims, with a view to (i) resolving meritorious claims more quickly and with the costs reduced and (ii) preventing unmeritorious claims. The work raised significant concerns about the pending whiplash reforms. There were also concerns raised about the potential for the CMCs to exploit claimants and a need for proper regulation by the Financial Conduct Authority.



John McQuater (left) amongst the panel at the Barker Brooks' clinical negligence debate in February.

**Clinical Negligence**

Early in the year, a BBC story highlighted the total cost of outstanding NHS compensation claims as £83 billion, against NHS England's £129 billion budget for 2018-19.

APIL used every media platform at its disposal both to rebut the misconception and emphasise the need for a greater focus on patient safety. Twitter was used to point out that the £129 billion budget was for one year alone, while £83 billion will be paid out over many years, even decades.

APIL messages about the importance of the right to claim compensation from the NHS for negligence and the need to focus on preventing harm were broadcast on BBC News, BBC Radio 4, BBC Breakfast, BBC Radio 5 live, Talk Radio, BBC Radio 2, and 15 regional radio stations. The comments were also printed in the Daily Star, Daily Mail and the Daily Telegraph and ITV news online and more than 90 regional news websites. They came from interviews with EC members Suzanne White and John McQuater. Suzanne went on to take part in a live debate on BBC Radio 2's Jeremy Vine Show.

A comment piece from APIL president Gordon Dalyell was published on The Times website which argued that the financial cost of clinical negligence is a distraction from the need to avoid the harm in the first place.

APIL secretary John McQuater expressed concerns about the role and use of fixed costs in clinical negligence claims when he took part in Barker Brooks' clinical negligence debate in February.

**Public back compensation for negligently injured patients**

Research commissioned by APIL found strong public support for the principle that those injured by the NHS should receive compensation from the NHS.

The YouGov research found that very few people who support this principle think that compensation should no longer be provided if the injury occurred during the Covid-19 pandemic.

The research drew into question public support for a moratorium on clinical negligence claims resulting from the Covid-19 crisis, which has been proposed by the Medical Defence Union (MDU) and others.

An overwhelming majority of UK adults think the standard of safety of NHS treatment should not change during the pandemic, which suggests that the public is unlikely to be receptive to arguments that attempt to use Covid-19 as a way of excusing incidents of negligence or lapses in patient safety.

The research also found that Covid-19 has not resulted in a backlash against injured patients receiving compensation from the NHS. Rather, the level of public support for such compensation is higher now than before the pandemic.

Further research to support our argument for full and fair compensation for patients who are injured negligently by the NHS is underway.



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## PILLAR 3 - PROMPT AND FULL REDRESS

**Evidence to committee inquiry into maternity services**

APIL proposed the establishment of an NHS Learning and Improvement Database as part of its response to a parliamentary inquiry into the safety of maternity services in England. It became clear that APIL members have ongoing concerns that a lack of transparency is one factor in learning opportunities being missed, and recommendations for improvement being left to gather dust. The new database would be designed to bring accountability and transparency to patient safety, with all recommendations and responses available for public scrutiny.

**Early notification scheme for birth injuries**

The Early Notification scheme (ENS) commenced on 1 April 2017 and since then, NHSR members are required to report to NHSR within 30 days all maternity incidents of potentially severe brain injury. When this idea was discussed, the Department of Health blueprint also included a redress scheme which only paid out a proportion of damages entitled as part of a civil claim. APIL remains cautious as this further element has not been ruled out by DoH.

There are elements of the ENS about which APIL remains concerned:

- Lack of signposting to early independent legal advice or to legal advice at all.
- Where investigations find that the care was not substandard, families are not informed that they can still seek independent advice.
- The nature of financial support under the scheme, how are needs assessed to ensure that the support is set at the correct amount.

APIL held several meetings with NHSR about its ongoing concerns. NHSR and APIL will meet regularly to ensure a greater understanding of what is happening elsewhere in the system and to consider best practice around the duty of candour.

**Liability for NHS Charges (Treatment of Industrial Disease) (Scotland) Bill**

Proposals for the NHS in Scotland to recoup money from certain personal injury claims were placed on the political agenda by an SNP Member of the Scottish Parliament. Stuart McMillian introduced the Liability for NHS Charges (Treatment of Industrial Disease) (Scotland) Bill, which would have allowed the NHS in Scotland to recoup some costs of medical treatment from the defendant in industrial disease claims. The argument was also made that the Bill's provisions would help to ensure safer working practices in the future.

APIL Scotland secretary David Short gave evidence on the proposals to the Health and Sport Committee of the Scottish Parliament. David warned that the Bill could lead to delays in the settlement of complex claims where there are multiple defenders and disputes between their insurers about (for example) who was most liable. The Bill was withdrawn at the end of the year.

**Overseas Operations (Service Personnel and Veterans) Bill**

APIL's lobbying activity focussed on part two of the Bill, which would impose a strict six-year limitation longstop on claims against the Ministry of Defence. Concerns about the unfairness of this proposal and the potential impact on veterans and service personnel were brought to the attention of regional newspaper readers through a published letter

to editors from APIL's president. It was the association's most widely-circulated regional letter campaign to date, achieving a print circulation of 610,972.

The Law Society Gazette also published an opinion piece about part two of the Bill by APIL's president Sam Elsby which accused the Ministry of Defence of "legislating itself out of responsibility for injured personnel".

The rights of service personnel and veterans injured overseas to have the same civil legal rights as civilians were defended by APIL during a fierce debate in the House of Commons. Briefings, virtual meetings, written and oral evidence were all used in APIL's campaign against part two of the Overseas Operations (Service Personnel and Veterans) Bill. The Government intends to use the Bill to introduce a six-year longstop on claims for personal injury or death which occur during overseas operations.

APIL's briefings were quoted extensively during debates on the Bill, and the association worked closely with Labour's shadow defence secretary, as well as with the Liberal Democrats and the Scottish National Party. MPs on a committee established to scrutinise the Bill also heard from the secretary of APIL's military special interest group, Ahmed Al-Nahhas, who gave evidence on behalf of the association. Ahmed warned MPs that if the proposals were approved, service personnel and veterans were at risk of having fewer legal rights than prisoners.

**Bereavement damages**

APIL was one of only two respondents to a call for evidence from the Joint Committee on Human Rights, which held a second short inquiry into an amendment to the Fatal Accidents Act 1976. The change would give cohabiting couples the right to statutory bereavement damages. The views of the joint committee, as well as APIL's concerns about the unfairness of the current law, were echoed by MPs and peers who debated the amendment to the 1976 Act. APIL's evidence also included arguments for sweeping reforms in this area of law.

Meanwhile, work continued on publication of a report on bereavement damages to be published by APIL shortly.

**Public liability insurance**

The collapse of Thomas Cook and a Bill to introduce some regulation of Botox injections were used as opportunities to call for public liability insurance to be made compulsory for businesses which come into contact with the public.

APIL met with civil servants who were developing a compensation scheme for those injured Thomas Cook customers who had been unable to secure compensation after the company's collapse. APIL argued that if Thomas Cook had been required by law to have insurance, a taxpayer-funded compensation scheme would not be needed.

MPs were lobbied ahead of a debate on a Private Members' Bill which would make giving Botox and cosmetic fillers to those under the age of 18 a criminal offence. APIL warned MPs that those who would still be able to legally administer the treatment would not need public liability insurance. During a debate on the Botulinum Toxin and Cosmetic Fillers (Children) Bill, numerous MPs raised concerns that if businesses failed to have insurance, the cost of negligent treatment would have to be met by the NHS.



## INTERVENTIONS

**Cham v Aldred**

Ben Williams QC was instructed to draft written submissions in support of Cham's application for permission to appeal to the Supreme Court. This appeal would deal with whether the cost of counsel's advice concerning settlement parameters in infant, RTA Portal claims was a recoverable disbursement in addition to the fixed costs recoverable pursuant to CPR 45.29C and Table 6B. The Supreme Court refused permission for Cham to appeal, on the basis that "the application does not raise a point of law of general public importance which ought to be considered at this time." The appellate panel was also of the view that it was more appropriate for the matter to be considered by the Civil Procedure Rules Committee.

**Swift v Carpenter**

APIL considered a request to assist with this appeal which deals with the problem created by the discount rate for claimants who have to rely on Roberts v Johnstone to calculate their accommodation claim. The challenging judgments working party decided not to intervene or provide funding as a 3rd party funder, as the arguments were already being ably put by other interveners.

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PILLAR 3 - PROMPT AND FULL REDRESS

**INFLUENCING THE SETTING OF THE DISCOUNT RATE ACROSS THE JURISDICTIONS**

**Consultation/intervention in Northern Ireland**

APIL had been in correspondence with the Northern Ireland the Department of Justice (DoJNI) officials all year and had responded to its consultation on alternative methods for calculating the discount rate. Following the end of that consultation, we had expected an announcement at the end of this year confirming that a new discount rate would be set.

Instead, the DoJNI announced that the Minister had recused herself from the process and the Permanent Secretary took a delegated decision to leave the discount rate unchanged pending legislative changes to the way the rate is calculated.

The Committee for Justice was not convinced that this was the appropriate procedure and APIL instructed Phoenix Law Solicitors in Northern Ireland, assisted by Bindmans and Jude Bunting of Doughty Street Chambers. A pre-action letter to the DoJNI to challenge the decision by way of Judicial Review (JR) was sent. After learning of another JR which was issued just before the year-end, APIL's challenging judgments working party decided to apply to intervene in that case which will be heard early in the new year.

**Comment on Northern Ireland Discount Rate**

The personal injury discount rate in Northern Ireland has been the focus of much of APIL's public comments in the jurisdiction in 2020. In a press release in June, APIL called on the justice minister to ensure proper compensation for people who suffer severe, life-changing injuries, by reviewing the discount rate, which remained at 2.5 per cent, as a matter of urgency.

This was followed by a further press release in October, condemning the failure to alter the discount rate while waiting for a new method of calculation to be introduced.

**Political activity – discount rate**

Lobbying continued on the discount rate in Northern Ireland. Politicians on the assembly's justice committee took a keen interest in the proposals. Each member of the justice committee was contacted by APIL and made aware of its concerns about the NiDoJ's decision not to change the current rate.

**The right to claim compensation**

A letter was issued to regional newspapers pointing out the disparity between attitudes towards claiming compensation for late trains and flights, and compensation for needless personal injuries. While consumers are actively encouraged to claim for travel delays, the debate about injury claims is often characterised by the notion that people should not claim compensation for their injuries at all. The letter also highlighted the fact that a three-hour flight delay is worth £505, while personal injury reforms mean that three months of pain from a soft tissue injury will be 'worth' just £235. The letter was published widely in regional newspapers and reached a total circulation of a quarter of a million.

**General media commentary and opinion**

In an editorial piece for Insurance Post magazine's Trade Voices section in October

APIL celebrated the benefits of collaboration between claimant lawyers and insurers, including the hard work undertaken to find ways of keeping claims moving during the coronavirus pandemic.

The association provides opinion pieces regularly for Modern Insurance Magazine's 'Sector Soapbox' feature. Topics in 2020 included Injury Prevention Week, the reasons car insurance premiums remain high and, back in January, ideas for the post-general election agenda for personal injury.

Other comments have been issued about subjects including and not limited to: an inflationary increase in statutory bereavement damages; insurance for e-scooters; the Court of Appeal judgment in Swift v Carpenter; the importance of injury prevention; new officers taking positions on APIL's EC; covert recordings of medical examinations; and claims against care homes.



**CHALLENGING THE IMPACT OF REFORM ON INJURED PEOPLE THROUGH CONSULTATION RESPONSES.**

APIL responded to 19 consultations this year.

The highlights included several papers examining road safety and the use of further technology on the roads. There was also the long-awaited CICA review and Guideline hourly rates work.

All APIL's responses can be found [here](#)

**SCJC Consultation on Group Proceedings**

APIL broadly supported the SCJC proposals which would be preferable to the current system of test cases, ensuring improved communication and updates for all involved in a case. APIL highlighted the importance of reassurance on data sharing and ensuring those who withdraw from a group proceedings case are not subject to costs risks. APIL also questioned the strength of the rules in requiring a representative party to inform the other group members of updates on the case.

**E-scooter rental trials**

The Future for Transport regulatory review, covering micromobility vehicles, was published on 16 March. APIL responded to the call for evidence by raising concerns with the regulation of rental e-scooters. We pushed for compulsory insurance and registration to ensure that those injured in a collision would be able to access compensation. Concerns were expressed regarding the spaces in which e-scooters were permitted, the speed at which they should be able to travel and the minimum required safety standards.

**DfT Roads Policing and The Highway Code**

In July, both the Highway Code and Roads Policing reviews were published. APIL reiterated the importance of education in improving road safety and reducing the number of casualties on the roads. In the Roads Policing response, suggesting that an overarching organisation should be introduced to deal with roads policing or a cross-sector injury prevention strategy should be introduced. APIL drew on the IPPR report to show how an emphasis on active travel and widespread public transport could improve congestion and air quality and reduce casualty numbers. We also highlighted concerns of emerging threats such as micromobility vehicles, smart motorways and automated vehicles which may impact on road safety. APIL broadly welcomed the proposals in the Highway Code review including the hierarchy of road users and safe passing distances and speeds.

**Joint Law Commissions Automated Vehicles Regulatory Framework and DfT ALKS**

In January we responded to the second paper of the Joint Law Commissions' Automated Vehicle consultation, raising concerns regarding strict liability for partially autonomous vehicles and the complexity of product liability claims. We reiterated these points in the Department for Transport's Automated Lane-Keeping System (ALKS) consultation which was published in August. We highlighted the importance of ensuring a driver is fully focused on the road when using an ALKS rather than permitting them to perform other activities, which should be re-served for fully autonomous vehicles. Additionally, we suggested amendments to the Data Protection Act 2018 so third parties can access data from the ALKS for investigations.

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## PILLAR 3 - PROMPT AND FULL REDRESS

**Consultation: changes to Human Medicine Regulations to support the rollout of COVID-19 vaccines-DoHSC**

In August, the DoHSC issued an urgent consultation on changes to the regulations relating to any proposed Covid-19 vaccine and wider vaccine-related compensation provisions. This consultation had an extremely short consultation period but a small working group was convened and a response submitted. APIL outlined its concerns relating to informed consent; immunity from suit; the lack of a credible route to legal redress for the tiny number of claims which may arise; made suggestions on the proposed amendments to the 'objective bystand-er test' (which were accepted) and the risks and benefits of using an expanded workforce for the vaccination programme.

**MoJ – CICS 2020 Review**

Following APIL's meeting with the MoJ in February 2019, a review of the Criminal Injuries Compensation Scheme was published in July. Although APIL was disappointed that concerns raised in 2019 such as unspent convictions and other issues with the eligibility criteria were not subject to change, it supported the proposal to introduce two new separate compensation schemes for victims of terrorism and families bereaved by homicide abroad. APIL also welcomed the increase in funeral payments and bereavement awards. APIL awaits the outcome and MoJ response to the consultation responses.

**Retained EU Case Law: Consultation on the departure from retained EU case law by the UK courts and tribunals**

Over the summer APIL responded to the Government's proposals affecting which UK courts could depart from retained EU case law. On exiting from the EU only the UK Supreme Court and the High Court of Justiciary in Scotland would have the power to do this. Under the proposals set out by the Government, more courts would be given the power to move away from those EU case laws which are retained in the UK. APIL disagreed with the Government's proposals, it maintained that power to depart from retained EU case law should not be extended beyond the UK Supreme Court and High Court of Justiciary. It was essential that legal certainty was maintained and judicial hierarchy should be preserved.

**CJC Pre-action Protocol preliminary survey**

The CJC ran a preliminary survey from 27 October to 18 December to establish a focus for a pre-action protocol review. APIL clarified that the pre-action protocols reflect good practice and that there should be no departure from 20 years of clear practice. APIL expressed concerns regarding consistent Defendant non-compliance with all the pre-action protocols and suggested that the judiciary should impose sanctions more often to incentivise defendant parties to co-operate in achieving the aims of the protocols. APIL specifically highlighted issues with the Package Travel protocol which is significantly onerous on claimants. APIL also suggested greater consideration of the Serious Injury Guide which outlines best practice.

**CJC Guideline Hourly Rates review**

Minutes from the March 2020 meeting of the Civil Procedure Rule Committee indicated that a sub-committee of the Civil Justice Council (CJC) had been established to revisit guideline hourly rates which have remained unchanged since 2010. The proposal had the backing of the Master of the Rolls, Sir Terence Etherton.

Given the lengthy period since any major changes were made to the rate, the CJC sub-committee planned to make recommendations by the end of the year.

It was not clear whether there would be a consultation at that stage, so APIL set up a working group to identify research which could be done and submitted to the CJC to support its report. The working group agreed that the CJC should consider market rates: in APIL's view, the existing GHRs have had a deflating effect for the past decade which

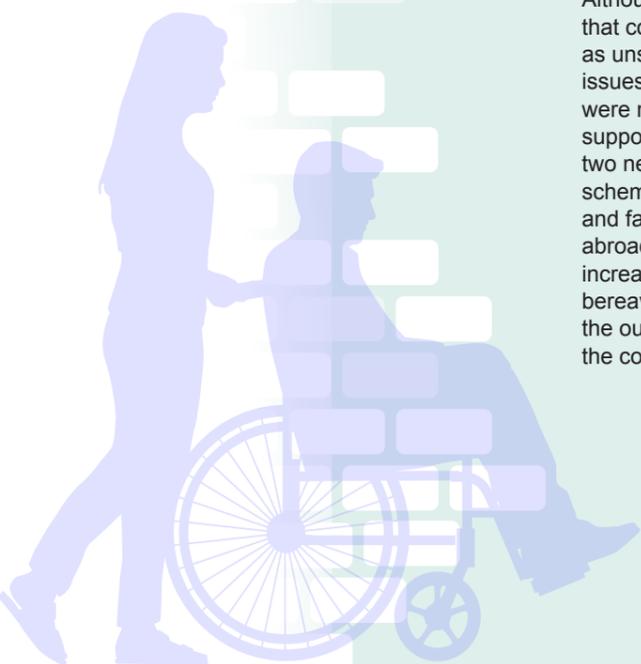
continues to pull down market rates. This is unsustainable in the longer term: firms need to provide a high standard of service to their clients and charge a rate that enables them to make a profit or they will cease to trade.

Members in the costs and funding SIG were contacted and a wealth of useful data on the market rate for both personal injury and other areas of work was collected, analysed and submitted to the Civil Justice Council before the end of the year.

**Reform to the retail prices index methodology**

HM Treasury consulted on changes to how the Retail Prices Index (RPI) should be calculated and APIL responded to those questions which were within our areas of expertise.

The proposed changes involve aligning RPI with a different measure of inflation - CPIH - which, since 2010, has had an annual average rate of one percentage point lower than RPI. As a result, the proposals are likely to result in a lower rate of RPI and in turn, this will result in a higher personal injury discount rate in jurisdictions where the rate is calculated with reference to RPI, such as Scotland. APIL's response highlighted the effects of the changes on injured claimants in all of the UK jurisdictions, including calculating the discount rate and longer-term effects on periodical payment orders.

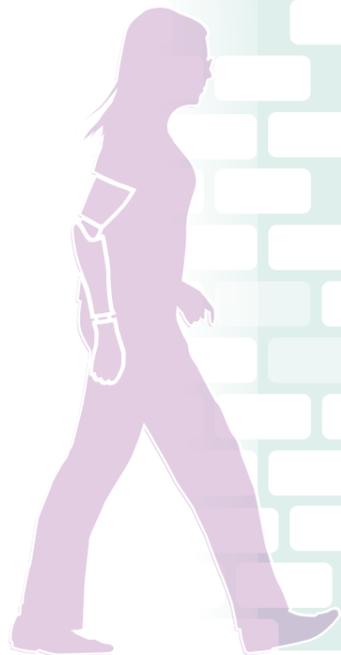


PILLAR 4 - DRIVE EXCELLENCE IN THE PI SECTOR

APIL is a diverse community of PI lawyers committed to injured people. We want our members to be recognised as providing the best in legal representation for needlessly injured people. Not only do we want to have the very best people with the highest standards in our organisation, we also want to attract a diverse range of members at different stages of their lives and professional development. We want to provide a community where members can thrive through networking, engagement and the very best training. We want to build a larger and more diverse community of people committed to injured people.



4 Drive Excellence in the PI Sector



Our membership vision is to for all our members to be happy and engaged advocates for our Association.

For this reason, our strategic focus is on developing the membership experience to bring the very best benefits for all our members and a journey of engagement to help them in their careers.

When things do go wrong, we act to ensure our strict Code of Conduct and Consumer Charter are upheld. In so doing, we try to ensure that injured people always get the very best service from APIL members.

Social media was used to showcase members' sense of community within APIL and pride in their skills and the work they do. Members were asked to think of one word they associate with APIL, for a video for distribution on Twitter.

Their 'one words' included "expertise", "justice", "dedication" and "courageous". The video has been watched almost 30,000 times on Twitter.

almost 30,000 views

"justice" "expertise" "courageous" "dedication"



MEMBER ENGAGEMENT PANEL

Throughout the year, APIL has sought the views and thoughts of its new engagement panel:

- Panel members' contributions have been invaluable in helping APIL to develop its new strategy
- The ideas provided by panel members allowed us to identify how we could support members through the pandemic
- New services, including an APIL app, have been created in response to feedback from panel members

The engagement panel is made up of 142 APIL members, who are broadly representative of the wider membership. If you are interested in joining the panel, please email [john.mcglade@apil.org.uk](mailto:john.mcglade@apil.org.uk)



Download the APIL app [here](#)

4

Drive  
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PI Sector

## PILLAR 4 - DRIVE EXCELLENCE IN THE PI SECTOR

DEALING WITH  
EMERGING ISSUES IN  
THE SECTOR**Veterans UK**

In May APIL approached the MoD with concerns regarding the Veterans UK website. There were issues with a lack of information regarding the right to pursue a civil compensation claim and the right to seek independent legal advice. On 26 June, any further feedback was welcomed by the MoD. APIL highlighted further concerns in a letter on 12 August concerning the importance of being fully informed, transparency of the connection between Veterans UK and the MoD, claims handler training and misplaced/inaccessible records. APIL also offered to develop a joint information leaflet with the MoD. The MoD responded on the 8 December which APIL is considering.

**Higher value cases being put through the portal**

Defendant representatives on the Serious Injury Guide Group approached APIL about cases that claimant representatives were putting into the RTA low value claims Portal but the value exceeded the portal limit. Following evidence being provided of the extent of the problem, it was agreed that APIL would approach FOIL to develop some best practice around the issue. The guide is being drafted and it is hoped the guidance will be available in 2021.

**Universal Credit**

Late in 2019 APIL had obtained counsel's advice from Jack Anderson at 39 Essex Street to identify routes to resolving an ongoing issue for claimants in receipt of Universal Credit (UC) as it relates to recoupment of benefits from their awards. The paying party defendants and their insurers also identified concerns about the sums they are being required to repay to the Compensation Recovery Unit where the claimant has received UC. The start of the pandemic put this project on hold until towards the end of the year when APIL and FOIL met to discuss the advice and work on next steps. Case studies, an article to alert members of both organisations to the issue and a search for a suitable case to pursue the issue through the appeals tribunal are also under consideration.

**Recording of medical experts**

Master Davidson wrote to FOIL and APIL following the case of Mustard v Fowler inviting us to examine the issues that had arisen around the covert recording of medical examinations. APIL established a working group this year to draft best practice in this area. Work is ongoing with FOIL.

UPHOLDING APIL'S  
CODE OF CONDUCT

APIL received an application from a former member to renew the individual's membership of APIL. There were concerns that the individual's behaviour placed them in breach of the code of conduct. After initial consideration by the Secretary, the EC was asked to exercise its discretion to refuse the application to re-join APIL. The Secretary's view was that it was clear that previous incidents put the former member in breach of paragraph 3 of the Code of Conduct and, as such, the EC could properly exercise discretion to refuse admission to the association. This was agreed by the EC and the former member was advised accordingly.

**Lockdown update**

At the start of the pandemic, as everyone moved their offices to work remotely, the information coming out of the courts, in particular, was unrelenting: new rules and practice directions; professional regulators issuing changes to their rules and changes to how cases could be run and how experts could be instructed. Daily updates were sent out to members by the Legal Affairs team and as the flow of information steadied, these updates moved to a regular but less frequent schedule. By the end of the year, rebranded as the Lockdown Update, this comprehensive source of information was being sent out on a three week/monthly schedule. Additionally, a master version of the document is maintained and updated on the APIL website.

WORKING  
WITH OTHERS**FOIL**

APIL continued, throughout 2020, to work with FOIL on our regular project the Serious Injury Guide. However, with the Pandemic having a significant impact on our members' practices we joined together to produce a best practice guide for firms managing cases remotely. There was an urgent need to put together an agreement with FOIL to encourage our organisations and members to work together during the pandemic. By the end of March, the COVID19 – APIL and FOIL Best Practice For Mutual Co-Operation was agreed for England and Wales. It was reviewed and extended at four-weekly intervals. Similar agreements were agreed for Scotland by the middle of April and for Northern Ireland by the middle of May.

**ABI  
Limitation Agreements**

By the end of March 2020 Thompsons and the ABI had agreed on a limitation protocol for England and Wales. APIL endorsed this and then joined their discussions to produce similar agreements with the ABI for Scotland and Northern Ireland. The England & Wales agreement ended on 30th June, while the agreements for Scotland and Northern Ireland continued in place until 14th August.

**HMRC**

Working from home created particular issues for practitioners who needed to correspond with HMRC to obtain work history information for their clients' claims. While it was not possible to persuade HMRC to accept communications by either fax or email this year, by the end of the

year moves were afoot to improve the application for, and delivery of, work histories by electronic means. These tentative moves should bear fruit in 2021.

**HMCTS**

With practitioners working from home and many court staff unable to work in court buildings, particularly at the start of the pandemic, APIL asked HM Courts & Tribunals Service (HMCTS) whether it would be possible to extend the pilot for online claims issuing, by opening it up to more firms. HMCTS worked hard to open up the pilot and APIL members and their firms took the news enthusiastically and registered to issue online. On average 450 claims per week are now being issued using the online pilot, revolutionising how claims can begin. Figures released by HMCTS in October 2020 show that the online unspecified money claims service had 402 firms registered and 15,799 claims issued.

**CCMCC**

APIL attends regular stakeholder meetings at the County Court Money Claims Centre (CCMCC) in Salford and this year those meetings continued, albeit remotely. In the short term, during the second quarter of the year, it was important to maintain good communications with the staff at CCMCC, disseminating information to members about changes to working practices to accommodate remote working and to tackle the backlog of work due to the necessary social distancing at CCMCC. As the year progressed, CCMCC made huge efforts to reduce the backlog and APIL members became accustomed to issuing online and filing documents electronically.



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Drive  
Excellence  
in the  
PI Sector

PILLAR 4 - DRIVE EXCELLENCE IN THE PI SECTOR

ENSURING THAT MEMBERS HAVE ACCESS TO THE SUPPORT THAT THEY NEED

Events

APIL's events are designed to drive excellence in Legal representation. With training courses, conferences and group meetings already on schedule at the beginning of the year, changes were necessary due to the Covid-19 pandemic restrictions.

Many venue contracts were cancelled or postponed to dates later in the year. The 30th-anniversary conference planned for May was moved to November.

The training team's focus moved to webinars and larger online events. To help members, several webinars were provided free of charge. Others covered: helping businesses to manage cash flow; remote video hearings; well-being and working safely from home.

In July APIL's EC made the difficult decision to hold all events, including external meetings, virtually until the end of the year.

Research and discussion with other associations led to the purchase of an App to bring together the conference programmes and exhibitors in one virtual place. Delivered live through the App and Zoom, delegates can view the conference sessions, interact with speakers, exhibitors and other attendees on their mobiles and through their web browser. The App also enables direct messaging and social interaction.

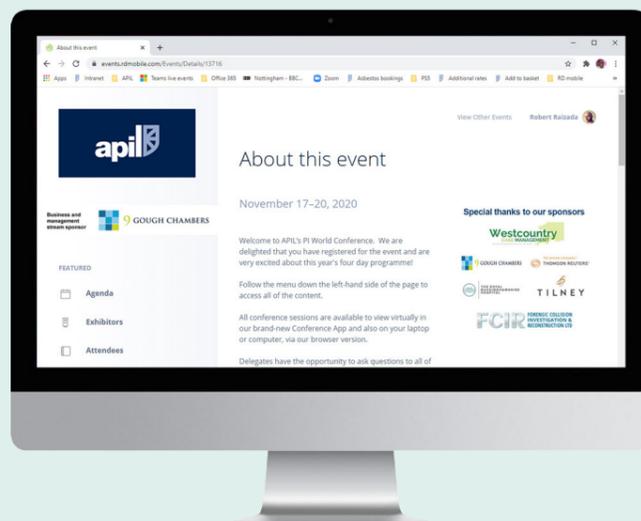
The 30th-anniversary conference was extended to four days and rebranded as "PI World", focussing on topical and current issues. This was one of five virtual conferences delivered throughout the Autumn.

A total of 35 training courses were delivered throughout the year, 11 of which were through face to face training between January and March.

In addition to the five virtual conferences, seven more events were delivered either live or as recordings, including Legal training for medical expert witnesses and Legal training for case managers.



5  
virtual conferences



In-house training

APIL continued to take its training courses in-house to firms. A total of 17 courses were delivered, many of which were delivered online.

Webinars

In all, 92 webinars were delivered during the year, with the most successful being *Remote Video Hearings and Electronic Bundles* and *How to use the Ogden Tables*. New speakers have been recruited to deliver some of our webinars.

Training and Accreditation Committee (TAC)

The TAC met five times in 2020. Michael Imperato, chair, and members of the committee held an extraordinary meeting in March to discuss APIL's events schedule and make preparations for the months ahead. Aside from the usual business of monitoring the activities of the accreditation scheme throughout the year, criteria for the competence standards were reviewed and updated at each meeting, new levels of accreditation for counsel were discussed, and the quality of APIL's training was kept under scrutiny. All feedback from delegates has been welcomed and gratefully received. All comments and suggestions have been taken on board for future event planning.



Groups

Of the 30 group meetings held during the year, the majority were run virtually. Zoom meetings have enabled APIL to reach greater numbers of members who are in more remote parts of regional groups. Numbers attending have increased significantly with a brain injury meeting in July enjoying the highest attendance ever with 170 delegates. The groups remain a very valuable benefit of membership, encouraging the sharing of expertise and information.

Website

The conference webpages have been enhanced to highlight key speakers. The training homepage has been redesigned, to show forthcoming and recorded on-demand content, searchable by keyword.

A new Severe Injury Help Hub has been added to the guidance section, offering advice to relatives and friend of victims with life-changing injuries. The site also has a Covid-19 Hub, which has contents which is available to members and, in some circumstances, non-members.

4  
Drive  
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PILLAR 4 - DRIVE EXCELLENCE IN THE PI SECTOR

PUBLICATIONS



contains  
**537**  
experts

**Expert & Rehab Directory**

APIL's annual Expert and Rehabilitation Services Directory was circulated to members in early August. Experts enrol for the directory: it contains 550 experts in many disciplines. The directory is an essential reference tool and remains popular and useful for members. It is also available as a searchable database online. It also includes rehabilitation services providers, along with details of support organisations for injured people. By the end of the year, 537 experts were enrolled in the directory.



**JPIL**

The Journal of Personal Injury Law is published quarterly by Thomson Reuters in conjunction with APIL. The general editor is Jeremy Ford of 9 Gough Square, with an editorial board of 11 practitioners, academics and insurers.

**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. It is published ten times a year.

ACCREDITATION AND RENEWALS

**Social media**

The Twitter account @Pispecialists sets out to celebrate the achievements of members who have either been awarded accreditation for the first time or who have moved up an accreditation level.

**Senior fellows**

Senior Fellowship was awarded to Mark Harvey of Hugh James, Cardiff, and Ronnie Conway of The Conway Accident Law Practice, Glasgow.

This is the highest accolade awarded to only the very few and candidates must demonstrate outstanding achievements and accomplishments in personal injury law and practice. Applications are judged by an independent Senior Fellows Assessment Panel.

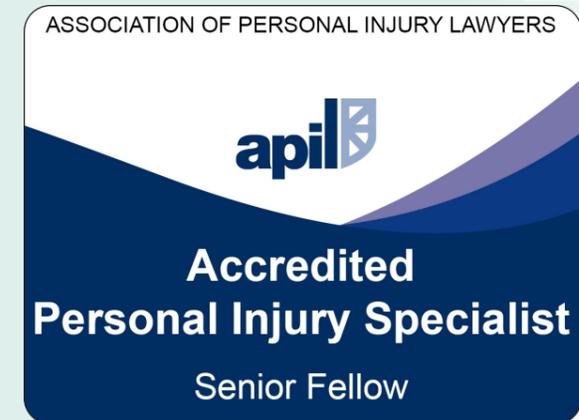
**Panels**

Panel memberships and criteria for both the Senior Fellows Assessment Panel and Accreditation Appeals Panel were reviewed in October.

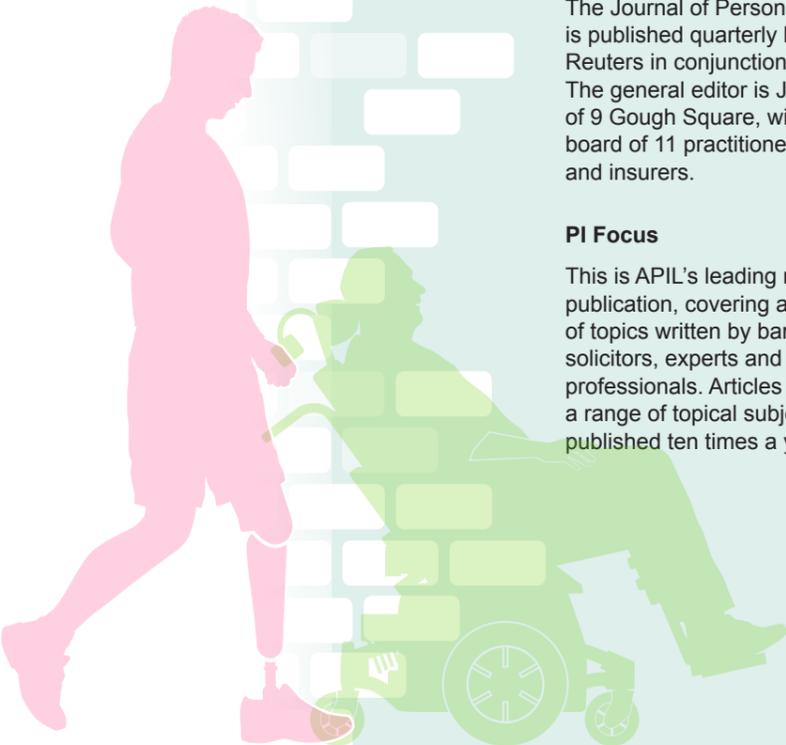
MEMBERSHIP RENEWALS

2,935 renewals were received from a circulation of 3,435, equalling an attrition rate of 14.6%. The 2019 rate finished at 13.5%.

As part of our work to improve the membership experience and to accommodate members working from home, there is now an option to renew by invoice. Payment can then be made by BACS.



2,935  
renewals



4  
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PILLAR 4 - DRIVE EXCELLENCE IN THE PI SECTOR

STATISTICS

Accredited members

Litigator	126
Senior Litigator	666
Fellow	120
Senior Fellow	11
Specialist Counsel	8
	931
Non-accredited	2251
Emeritus	30
<b>Totals</b>	<b>3212</b>

Accredited specialists and assessors

	Specialist	Assessor
Brain injury	67	27
Clinical negligence	50	20
Spinal cord injury	18	9
Occupational disease	77	19
Asbestos disease	78	21
Acc. & illnesses abroad	11	8
Fatal accidents	14	10
Military injury	6	6
<b>Totals</b>	<b>321</b>	<b>120</b>

Firms with accreditation

Corporate accreditation	138
In-house	59
External	34
In-house accredited branches of firms	59
Externally accredited training providers	34
Corporate accredited branches of firms	138



Website statistics

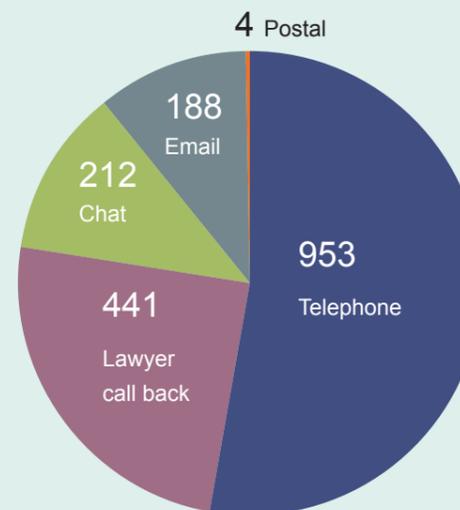
unique visitors  
**117,086**

total page views  
**899,924**

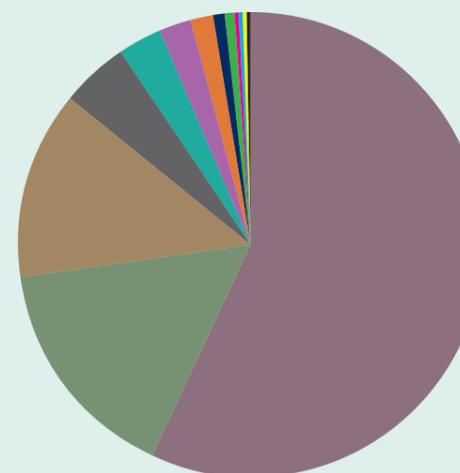
Posts on the members' discussion forums:  
**3,347**

Public enquiries - 2020  
**1798**

Public Enquiries



Method of enquiry



Source of public enquiry

Internet	1028
Unknown/Unspecified	285
Citizens Advice	234
Law Firm	82
Zurich	55
Other	42
Civil Legal Advice	30
Which?	12
Word of Mouth	11
Brake	8
BUPA	6
National Accident Helpline	3
Police	2

Public Enquiries by Injury Type

Type of injury	Number of enquiries
Accident at work	356
Trip or slip	295
Road accident	255
Clinical negligence	175
Public liability	162
Criminal injuries	75
Occupational disease	57
Not claimant personal injury	41
Defective premises	37
Defective products	36
Accident in a public place	34
Asbestos and mesothelioma	27
Abuse or assault	26
Fatal accident	25
Abuse	22
Accidents & illnesses abroad	21
Beauty treatment	18
Sport injury	15
Police or prison	13
Animals	11
Head injury	10
Back injury	9
Child injury	9
Brain injury	8
Claims against injury lawyers	7
Faulty products	7
Accidents involving animals	5
Military	5
Back injury or spinal injury	4
Head injury / brain injury	4
Aviation	3
Train, ship and plane injury	3
Education	1
Environment / pollution	1
Spinal cord injury	1

4

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in the  
PI Sector

## PILLAR 4 - DRIVE EXCELLENCE IN THE PI SECTOR

## Membership at 31 December 2020

Category	Members
Legal Practitioners	2605
Legal Practitioners - non-practising	19
Honorary life members	22
Barristers (practitioners)	88
Barrister – category	24
Junior Barrister	5
Paralegals	279
Students	3
eMembers	14
Academics	8
Overseas	58
Associate member	86
Associate charity member	1
<b>TOTAL MEMBERS</b>	<b>3212</b>
Total, current, complimentary members	492
Paying members	2720

## Regional

APIL Northern Ireland	42
APIL Scotland	219
APIL Wales	143
Central England	113
Devon & Cornwall	72
East Anglia	131
East Midlands	118
London	675
North East	132
North West	537
South East	83
South of England	126
South West	161
West Midlands	232
Yorkshire	368
Rest of world	21
Europe including Republic of Ireland	39
<b>Total</b>	<b>3212</b>

Executive Committee Members (alphabetical order)  
Attendance at EC meetings 2020

Executive Committee Members (alphabetical order) Attendance at EC meetings 2020	Total meetings attended
Richard Baker 7 BR, London	3/5
Richard Barr Scott-Montcrieff & Associates Ltd Norwich	5/5
Gordon Dalzell <sup>e</sup> Digby Brown LLP, Edinburgh	4/5
Brett Dixon <sup>d</sup> Brett Dixon Training Ltd, Burnley	3/5
Sam Elsby <sup>a</sup> Dean Wilson Solicitors LLP, Brighton	5/5
Jill Greenfield <sup>c</sup> FieldFisher, London	5/5
Kim Harrison Slater & Gordon Lawyers, Manchester	5/5
Michael Imperato <sup>f</sup> Watkins & Gunn, Cardiff	4/5
Oonagh McClure <sup>f</sup> Thompsons NI, Belfast	4/5
Neil McKinley JMP Solicitors, Grantham	4/5
John McQuater <sup>b</sup> Atherton Godfrey LLP, Doncaster	4/5
Pauline Roberts <sup>g, h</sup> NewLaw, Cardiff	4/4
Jonathan Scarsbrook LLP <sup>d</sup> Irwin Mitchell, Sheffield	3/5
Sharham Sharghy 9 Gough Square, London	1/5
Suzanne Trask <sup>f</sup> Bolt Burdon Kemp, London	4/5
Suzanne White Leigh Day, London	4/5
Leticia Williams Hodge Jones & Allen Solicitors, London	5/5

a Elected as president at AGM 14 May 2020

b Re-elected as Secretary at AGM 14 May 2020

c Treasurer's two-year term extended for one additional year by EC

d Elected as vice president at AGM 14 May 2020

e Post of Immediate Past President started at AGM 14 May 2020

f Re-elected at AGM 14 May 2020

g Elected at AGM 14 May 2020

h Out of a possible four executive committee meetings after the AGM

# FINANCIAL REPORT

THE ASSOCIATION'S FINANCIAL POSITION AT THE END OF 2020 IS TESTAMENT TO THE HARD WORK OF ALL THE STAFF, EXECUTIVE COMMITTEE MEMBERS, TRAINERS, CO-ORDINATORS AND SECRETARIES WHO RESPONDED TO EXTREMELY CHALLENGING CONDITIONS TO PROTECT APIL'S POSITION.

We have had to adapt our training activities to meet the challenge of providing a full programme online, as well as providing new content to help members adapt to the difficult environment in which they have been forced to work.

Overall, the contribution from training events at £256,053 was more than double the figure in the revised budget. This was in the main due to cutting our costs considerably by holding training events virtually. The annual conference was postponed to later in the year and became an online event. The net contribution from this and our clinical negligence conference is £121,786, up from a revised budgeted figure of £116,144.

The number of members overall was lower this year again but we have seen an increase in associate and barrister membership, which is good news. The number of gratuitous honorary members has also increased this year from 462 to 492.



JILL GREENFIELD  
Treasurer

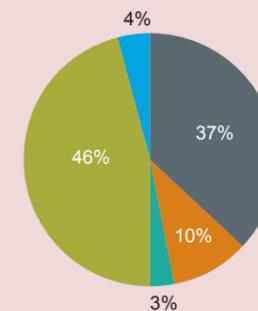
Membership subscriptions account for 45.89 per cent of APIL's income this year, closely followed by training activities which contributed 36.92 percent, residential conferences contributed 10.03 percent, accreditation three per cent and publishing activities added a further four per cent. Every percentage 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 £896.

A total of £95,990 was spent on strategic investment, which includes the Rebuilding Shattered Lives campaign.

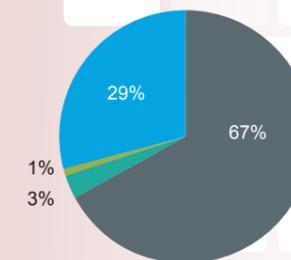
Turnover in 2020 fell by £551,209 (18.26%). Equally, cost of sales fell by £529,711 (60.91%) on 2019 and operational costs came in £83,870 under budget and were £115,740 lower than in 2019.

I am pleased to report that we have not had to make any withdrawals from APIL's reserves in 2020. At the year-end reserves stood at £1,071,255. This remains high for the association, but in view of the on-going uncertainty created by the pandemic and expected changes in the market we continue to take the view that this is an appropriate reserve level. We applied ring-fencing to sections of the reserves again this year for particular projects such as future challenges in the courts or legal advice for the association's activities. This also affords the association opportunities to meet any future, as yet unknown, challenges.

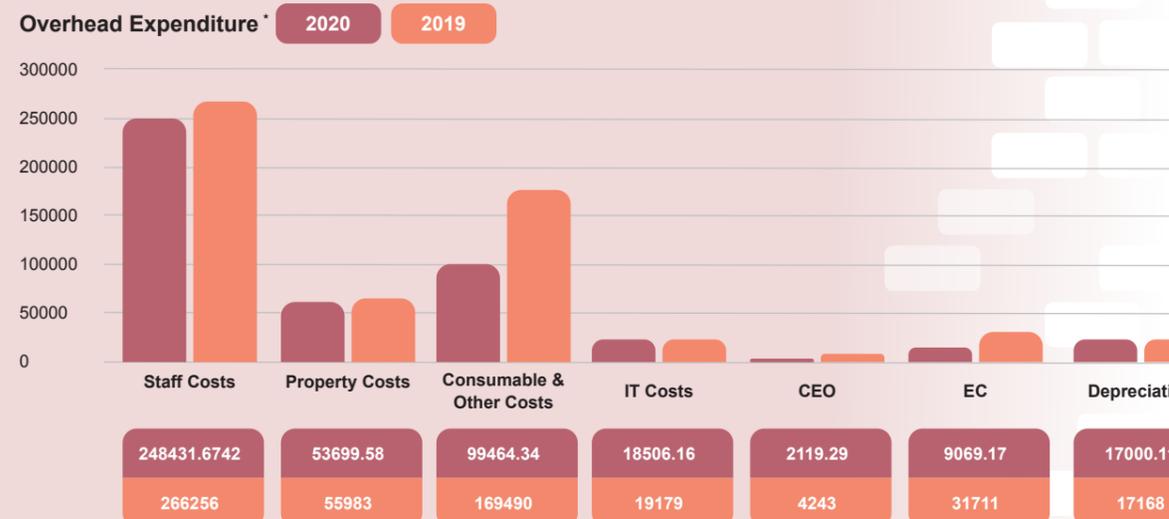
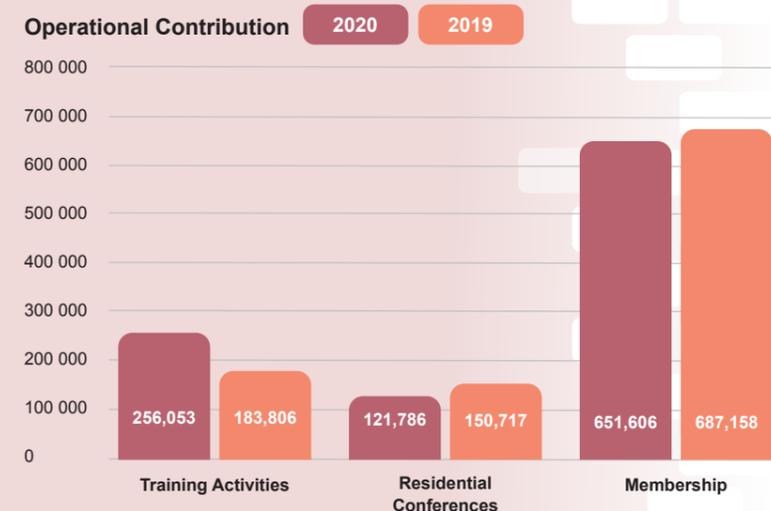
Cash holdings at the end of 2020 stand at £921,422



**Income Split 2020**  
 Training Activities  
 Residential Conferences  
 Accreditation  
 Membership  
 Publishing



**Expenditure Split 2020**  
 Training Activities  
 Residential Conferences  
 Accreditation  
 Membership  
 Publishing



\* Taken from APIL's management accounts, does not include operational salaries which are shown against relevant department costs. Costs are grouped differently in the Auditor's Report.

# REPORT OF THE EXECUTIVE COMMITTEE

## DIRECTORS' REPORT FOR THE YEAR ENDED 31 DECEMBER 2020

The directors present their annual report and financial statements for the year ended 31 December 2020.

### Principal activities

The principal activity of the company continued to be that of campaigning for improvements in personal injury law on behalf of the 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 who held office during the year and up to the date of signature of the financial statements were as follows:

R Baker	O M McClure
R E Barr	N C McKinley
G Dalyell	J Scarsbrook
B Dixon	S Sharghy
S R Elsby	S J Trask
J Greenfield	S White
K L Harrison	L A Williams
J M Imperato	J McQuater
P J Roberts (Appointed 14 May 2020)	

## AUDITOR

### Statement of disclosure to auditor

So far as each person who was a director at the date of approving this report is aware, there is no relevant audit information of which the company's auditor is unaware. Additionally, the directors individually have taken all the necessary steps that they ought to have taken as directors in order to make themselves aware of all relevant audit information and to establish that the company's auditor is aware of that information.

### Small companies exemption

This report has been prepared in accordance with the provisions applicable to companies entitled to the small companies exemption.

On behalf of the board

John McQuater  
J McQuater  
Director

Date: 30th March 2021

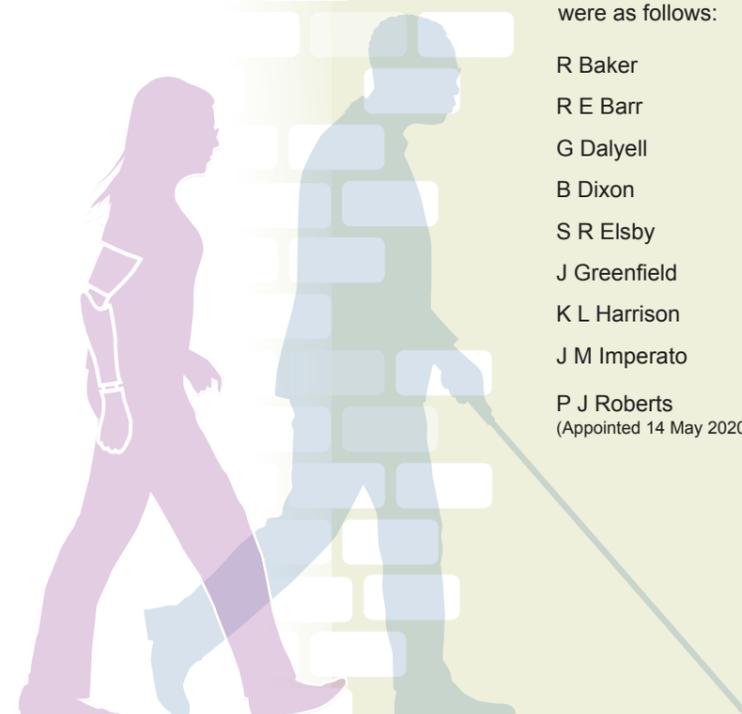
## DIRECTORS' RESPONSIBILITIES STATEMENT

The directors are responsible for preparing the annual report 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;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

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.



## INDEPENDENT AUDITOR'S REPORT

### Opinion

We have audited the financial statements of Association Of Personal Injury Lawyers (the 'company') for the year ended 31 December 2020 which comprise the income and expenditure account, the balance sheet and notes to the financial statements, including significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including FRS 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 2020 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 Auditor's 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

In auditing the financial statements, we have concluded that the directors' use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the company's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

Our responsibilities and the responsibilities of the directors with respect to going concern are described in the relevant sections of this report.

### Other information

The other information comprises the information included in the annual report other than the financial statements and our auditor's report thereon. The directors are responsible for the other information contained within the annual report. 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. 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 course of 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 this gives rise to a material misstatement in the financial statements themselves. 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 that fact.

We have nothing 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 our audit:

- the information given in the directors' report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the directors' report 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 directors' report.

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 in preparing the directors' report and take advantage of the small companies exemption from the requirement to prepare a strategic report.

### Responsibilities of directors

As explained more fully in the directors' responsibilities statement, 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 is 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.

### Auditor's 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 an auditor's report 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.

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We design procedures in line with our responsibilities, outlined above, to detect material misstatements in respect of irregularities, including fraud. The extent to which our procedures are capable of detecting irregularities, including fraud, is detailed below.

A further description of our responsibilities is available on the Financial Reporting Council's website at: <https://www.frc.org.uk/auditorsresponsibilities>. This description forms part of our auditor's report.

Seagrave French LLP

For and on behalf of  
Seagrave French LLP

Chartered Accountants  
Statutory Auditor  
1 Poplars Court  
Lenton Lane  
Nottingham  
NG7 2RR

## FINANCIAL STATEMENTS

These 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 and authorised for issue on

30th March 2021

and are signed on its behalf by:

Jill Greenfield

**J Greenfield**

Director

**Company Registration  
No.2889757**

INCOME AND EXPENDITURE ACCOUNT  
FOR THE YEAR ENDED 31 DECEMBER 2020

Income	2020 £	2019 £
Cost of sales	1,541,141 (339,911)	2,092,350 (868,435)
<b>Gross surplus</b>	1,201,230	1,223,915
Administrative expenses	(1,199,738)	(1,218,900)
<b>Operating surplus</b>	1,492	5,015
Interest receivable and similar income	679	2,667
Interest payable and similar expenses	(1,275)	(3,496)
<b>Surplus before taxation</b>	896	4,186
<b>Tax on surplus</b>	2	2,453
<b>Surplus for the financial year</b>	898	6,639

## BALANCE SHEET AS AT 31 DECEMBER 2020

	Notes	2020		2019	
		£	£	£	£
<b>Fixed assets</b>					
Tangible assets	4		465,880		477,569
<b>Current assets</b>					
Debtors	5	98,593		132,071	
Cash at bank and in hand		921,422		1,189,130	
<b>Creditors: amounts falling due within one year</b>	6	1,020,015 (414,640)		1,321,201 (728,413)	
<b>Net current assets</b>			605,375		592,788
<b>Total assets less current liabilities</b>			1,071,255		1,070,357
<b>Reserves</b>					
Income and expenditure account			1,071,255		1,070,357
<b>Members' funds</b>			1,071,255		1,070,357

NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 DECEMBER 2020

## 1 Accounting policies

## Company information

Association Of Personal Injury Lawyers is a private company limited by guarantee incorporated in England and Wales. The registered office is Unit 3 Alder Court, Rennie Hogg Road, Nottingham, Nottinghamshire, England, NG2 1RX.

## 1.1 Accounting convention

These financial statements have been prepared in accordance with FRS 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland" ("FRS 102") and the requirements of the Companies Act 2006 as applicable to companies subject to the small companies regime. The disclosure requirements of section 1A of FRS 102 have been applied other than where additional disclosure is required to show a true and fair view.

The financial statements are prepared in sterling, which is the functional currency of the company. Monetary amounts in these financial statements are rounded to the nearest £.

The financial statements have been prepared under the historical cost convention, modified to include the revaluation of freehold properties and to include investment properties and certain financial instruments at fair value. The principal accounting policies adopted are set out in the following.

## 1.2 Income and expenditure

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 2021 to 31 March 2021.

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.

Expenses are included in the financial statements as they become receivable or due.

Expenses include VAT where applicable as the company cannot reclaim it.

## 1.3 Tangible fixed assets

Tangible fixed assets are initially measured at cost and subsequently measured at cost or valuation, net of depreciation and any impairment losses.

Depreciation is recognised so as to write off the cost or valuation of assets less their residual values over their useful lives on the following bases:

Freehold land and buildings 2% on cost

Plant and equipment 20% on cost

The gain or loss arising on the disposal of an asset is determined as the difference between the sale proceeds and the carrying value of the asset, and is credited or charged to surplus or deficit.

## 1.4 Borrowing cost related to fixed assets

Borrowing costs directly attributable to the acquisition, construction or production of qualifying assets, which are assets that necessarily take a substantial period of time to get ready for their intended use or sale, are added to the cost of those assets, until such time as the assets are substantially ready for their intended use or sale.

All other borrowing costs are recognised in surplus or deficit in the period in which they are incurred.

## NOTES TO THE FINANCIAL STATEMENTS

**1.5 Impairment of fixed assets**

At each reporting period end date, the company reviews the carrying amounts of its tangible assets to determine whether there is any indication that those assets have suffered an impairment loss. If any such indication exists, the recoverable amount of the asset is estimated in order to determine the extent of the impairment loss (if any). Where it is not possible to estimate the recoverable amount of an individual asset, the company estimates the recoverable amount of the cash-generating unit to which the asset belongs.

Recoverable amount is the higher of fair value less costs to sell and value in use. In assessing value in use, the estimated future cash flows are discounted to their present value using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the asset for which the estimates of future cash flows have not been adjusted.

If the recoverable amount of an asset (or cash-generating unit) is estimated to be less than its carrying amount, the carrying amount of the asset (or cash-generating unit) is reduced to its recoverable amount. An impairment loss is recognised immediately in surplus or deficit, unless the relevant asset is carried at a revalued amount, in which case the impairment loss is treated as a revaluation decrease.

Recognised impairment losses are reversed if, and only if, the reasons for the impairment loss have ceased to apply. Where an impairment loss subsequently reverses, the carrying amount of the asset (or cash-generating unit) is increased to the revised estimate of its recoverable amount, but so that the increased carrying amount does not exceed the carrying amount that would have been determined had no impairment loss been recognised for the asset (or cash-generating unit) in prior years. A reversal of an impairment loss is recognised immediately in surplus or deficit, unless the relevant asset is carried at a revalued amount, in which case the reversal of the impairment loss is treated as a revaluation increase.

**1.6 Cash and cash equivalents**

Cash and cash equivalents are basic financial assets and include cash in hand, deposits held at call with banks, other short-term liquid investments with original maturities of three months or less, and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities.

**1.7 Financial instruments**

The company has elected to apply the provisions of Section 11 'Basic Financial Instruments' and Section 12 'Other Financial Instruments Issues' of FRS 102 to all of its financial instruments.

Financial instruments are recognised in the company's balance sheet when the company becomes party to the contractual provisions of the instrument.

Financial assets and liabilities are offset, with the net amounts presented in the financial statements, when there is a legally enforceable right to set off the recognised amounts and there is an intention to settle on a net basis or to realise the asset and settle the liability simultaneously.

**Basic financial assets**

Basic financial assets, which include debtors and cash and bank balances, are initially measured at transaction price including transaction costs and are subsequently carried at amortised cost using the effective interest method unless the arrangement constitutes a financing transaction, where the transaction is measured at the present value of the future receipts discounted at a market rate of interest. Financial assets classified as receivable within one year are not amortised.

**Classification of financial liabilities**

Financial liabilities and equity instruments are classified according to the substance of the contractual arrangements entered into. An equity instrument is any contract that evidences a residual interest in the assets of the company after deducting all of its liabilities.

**Basic financial liabilities**

Basic financial liabilities, including creditors, bank loans, loans from fellow group companies and preference shares that are classified as debt, are initially recognised at transaction price unless the arrangement constitutes a financing transaction, where the debt instrument is measured at the present value of the future payments discounted at a market rate of interest. Financial liabilities classified as payable within one year are not amortised.

Debt instruments are subsequently carried at amortised cost, using the effective interest rate method.

Trade creditors are obligations to pay for goods or services that have been acquired in the ordinary course of business from suppliers. Amounts payable are classified as current liabilities if payment is due within one year or less. If not, they are presented as non-current liabilities. Trade creditors are recognised initially at transaction price and subsequently measured at amortised cost using the effective interest method.

**1.8 Taxation**

The company is exempt from corporation tax, it being a company not carrying on a business for the purposes of making a profit.

**1.9 Employee benefits**

The costs of short-term employee benefits are recognised as a liability and an expense, unless those costs are required to be recognised as part of the cost of stock or fixed assets. The cost of any unused holiday entitlement is recognised in the period in which the employee's services are received.

Termination benefits are recognised immediately as an expense when the company is demonstrably committed to terminate the employment of an employee or to provide termination benefits.

**1.10 Retirement benefits**

Payments to defined contribution retirement benefit schemes are charged as an expense as they fall due.

**1.11 Foreign exchange**

Transactions in currencies other than pounds sterling are recorded at the rates of exchange prevailing at the dates of the transactions. At each reporting end date, monetary assets and liabilities that are denominated in foreign currencies are retranslated at the rates prevailing on the reporting end date. Gains and losses arising on translation in the period are included in profit or loss.



## NOTES TO THE FINANCIAL STATEMENTS

**2** Employees

The average monthly number of persons (including directors) employed by the company during the year was:

2020  
**25**  
employees

2019  
**26**  
employees

**3** Membership subscriptions

	2020	2019	2020	2019
	No	No	£	£
Practitioner members	2,506	2,695	579,900	597,115
Student members	3	3	175	195
Paralegal	84	102	10,760	12,504
Academic members	7	7	715	735
Overseas members	57	79	6,705	9,176
Associate members	62	63	10,150	10,405
Barrister	35	60	7,470	12,255
Other members	4	11	790	2,005
Complimentary members	492	462		
<b>Total</b>	<b>3,250</b>	<b>3,482</b>	<b>616,665</b>	<b>644,390</b>
Add deferred income brought forward			160,561	168,434
Less deferred income carried forward			(154,013)	(160,561)
			623,213	652,263
Corporate accreditation income received in the year			41,310	53,860
Add deferred income brought forward			18,163	20,587
Less deferred income carried forward			(15,663)	(18,163)
			43,810	56,284
<b>Total</b>			<b>667,023</b>	<b>708,547</b>

**4** Tangible fixed assets

	Land and buildings	Plant and machinery	Total
Cost	£	£	£
At 1 January 2020	577,135	50,472	627,607
Additions		5,312	5,312
Disposals		(1,176)	(1,176)
At 31 December 2020	577,135	54,608	631,743
<b>Depreciation and impairment</b>			
At 1 January 2020	115,427	34,611	150,038
Depreciation charged in the year	11,543	5,458	17,001
Eliminated in respect of disposals		(1,176)	(1,176)
At 31 December 2020	126,970	38,893	165,863
<b>Carrying amount</b>			
At 31 December 2020	450,165	15,715	465,880
At 31 December 2019	461,708	15,861	477,569

**5** Debtors

	2020	2019
Amounts falling due within one year:	£	£
Trade debtors	47,417	74,400
Other debtors	51,176	57,671
	98,593	132,071

## NOTES TO THE FINANCIAL STATEMENTS

**6** Creditors

	2020	2019
Amounts falling due within one year	£	£
Trade creditors:	41,057	58,007
Corporation tax	-	507
Other taxation and social security	134,793	62,569
Other creditors	238,790	607,330
	414,640	728,413

**7** Member's liability

The company is limited by guarantee, not having a share capital and consequently the liability of members is limited, subject to an undertaking by each member to contribute to the net assets or liabilities of the company on winding up such amounts as may be required not exceeding £1.

**8** Related party transactions

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

	2020	2019
Training Fees:	£	£
J McQuater	67,430	80,433
B Dixon	35,671	49,026
R Baker	3,010	1,806
S Elsby	2,339	1,271

## DETAILED TRADING AND INCOME AND EXPENDITURE ACCOUNT

	2020		2019	
Income	£	£	£	£
Membership and Accreditation		750,972		802,059
Conference, SIGS and regional meetings		155,245		514,355
Training events		569,039		696,220
Publishing		65,885		79,716
		1,541,141		2,092,350
<b>Cost of sales</b>				
Membership	10,160		20,217	
Conference	534		334,872	
Training events	183,463		383,431	
Legal affairs and research	39,575		19,996	
Publishing	77,557		79,827	
Public affairs	28,622		31,277	
Mediators	-		(1,185)	
		(339,911)		(868,435)
Gross surplus	77.94%	1,201,230	58.49%	1,223,915



DETAILED TRADING AND INCOME AND EXPENDITURE ACCOUNT

	2020		2019	
	£	£	£	£
<b>Administrative expenses</b>				
Wages and salaries	794,429		787,123	
Social security costs	72,547		72,347	
Severance pay	-		11,485	
Staff training	335		8,341	
Staff pension costs defined contribution	37,609		35,319	
Property costs	52,425		52,487	
Insurance	9,333		7,788	
Travelling expenses	914		6,466	
Legal and professional fees	11,728		38,203	
Audit fees	5,000		4,997	
Bank charges	1,957		3,226	
Credit card charges	12,806		14,753	
Printing and stationery	23,958		48,714	
Telecommunications	20,609		20,034	
Other costs	109,392		39,713	
Executive committee	11,189		31,557	
IT costs	18,506		19,179	
Depreciation	17,001		17,168	
	(1,199,738)		(1,218,900)	
<b>Operating surplus</b>		1,492		5,015
<b>Interest receivable and similar income</b>				
Bank interest received	679		2,667	
		679		2,667
<b>Interest receivable and similar income</b>				
Mortgage interest		(1,275)		(3,496)
<b>Surplus before taxation</b>	06%	896	0.20%	4,186

DIRECTORS  
JANUARY – DECEMBER 2020



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President  
Dean Wilson Solicitors  
LLP, Brighton



**Brett Dixon,**  
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