



Clinical Negligence Legal Expenses

After the Event Product Brochure
and Key Facts Summary





CLINICAL NEGLIGENCE LEGAL EXPENSES

If you have the misfortune to suffer from an act of clinical or medical negligence, you may wish to seek financial redress from the third party by way of a claim for compensation. Such an action may leave you exposed to any costs awarded against you, as well as your own solicitor's disbursements. This could lead to you not pursuing your case to full value, or it may even deter you from starting your legal action altogether.

Why do you need Clinical Negligence Legal Expenses?

Legal disputes can be costly and difficult to understand and many people are put off from protecting their legal rights due to the significant financial risk and uncertainty of the outcome. There may be occasions where you have to pay some of the other side's costs and disbursements, as well as your own disbursements, which could result in a significant legal bill.

The solution is Clinical Negligence Legal Expenses from Legal Protection Group, which is an insurance policy taken out when you enter into an agreement with your solicitor to pursue your claim.

This insurance policy will cover the potential adverse legal costs involved in pursuing your clinical negligence claim arising from:

- Surgery errors
- Anaesthetic injury
- Prescription errors
- Misdiagnosis
- GP and NHS negligence
- Birth injuries
- Still birth

Key benefits of cover

- Covers costs up to £100,000 as standard
- Covers up to £10,000 for the cost of expert reports
- Full Part 36 cover
- Covers own disbursements
- Covers interim costs orders
- Insurance backing from an AA- rated insurer
- Premium only payable upon success
- Premium deferred until conclusion
- Delegated authority
- Competitive client premiums
- No case assessment fees



LEGAL PROTECTION GROUP

We are a specialist provider of legal expenses insurance, legal services and emergency assistance products.

Legal Protection Group Limited was formed by a team of well-known legal protection insurance professionals with a wealth of knowledge and experience within the industry.

Our largest shareholder is Eldon Insurance Services Limited. Eldon has grown into a market-leading claims operation with diverse teams of dedicated insurance professionals leading the way in claims excellence and cutting edge technology.

Legal Protection Group Limited provides a wide range of products, with innovative features which are specifically designed to avoid some of the common challenges associated with legal protection insurance.

We are absolutely focused upon providing a first class product and claims service. Our management structure means that our clients will always be able to talk to a decision maker and as we are responsible for designing, pricing and servicing our insurance products, we can provide quick and effective decisions on all types of enquiry.

Our products are underwritten by International Insurance Company of Hannover SE (Inter Hannover), rated “AA-” (very strong) by Standard and Poor’s and “A+” (superior) by A. M. Best.





THE COVER

Expert Reports and Your Legal Action

If you lose your legal action or if the legal action is abandoned or discontinued, you may be faced with having to pay your solicitor's disbursements and the cost of expert reports.

We will pay these costs on your behalf which means that you are not faced with having to pay a large legal bill if your claim is not successful.

Part 36 Offers

Part 36 is a provision in the Civil Procedure Rules which encourages early settlement of a dispute without going to trial. Either party can make a Part 36 offer and this can be made at any stage of the dispute up to the point of judgment.

If you have rejected a Part 36 offer but do not obtain a more advantageous outcome upon judgment, the court can apply financial penalties

against you which includes ordering you to pay your opponent's costs incurred from the date you rejected the Part 36 offer.

Where you have rejected a Part 36 offer with our approval and the court awards you damages which are less than the sum offered to you, we will pay your own disbursements as well as your opponent's costs and disbursements which you are ordered to pay.

Interim Costs Orders

Under the Civil Procedure Rules, parties to a dispute can make an interim application or apply for pre-action disclosure.

An interim application is an application made to court for orders or directions in relation to case management matters including exchange of evidence, or for specific remedies including a summary judgment.

A pre-action disclosure is an application to court for an order requiring a party to disclose documents which are in their possession.

A court can decide at its discretion who will be responsible for costs following an interim application or an application for pre-action disclosure and if they decide in favour of your opponent, we will pay your opponent's costs and disbursements.

Your Premium

If your legal action is not successful or if we and your solicitor both agree that your legal action should be abandoned or discontinued, we will waive your liability to pay us any premium.

If your legal action is successful, you are responsible for paying us the premium out of your damages award, part of which should be recovered from your opponent.

POLICY SUMMARY AND OTHER IMPORTANT INFORMATION

This is a summary of the cover provided under Clinical Negligence Legal Expenses. It does not contain full details of policy terms, exclusions and

conditions. For full details of this insurance please refer to the policy wording, a copy of which is available to you on request.

Type of insurance	Clinical Negligence Legal Expenses is an After the Event legal expenses insurance contract designed to cover the cost of expert reports, your solicitor's disbursements and the legal costs and disbursements incurred by your opponent if your legal action is lost or discontinued.
Who provides this insurance	Legal Protection Group Limited, authorised under a binding authority agreement to administer this insurance on behalf of the insurer, International Insurance Company of Hannover SE.
How long does the cover last	This insurance will remain in force for the duration of your legal action unless the policy is cancelled by us in accordance with its terms and conditions.
Territorial limit	Your legal action must be brought within England and Wales.
Choice of law	This insurance is governed by the laws of England and Wales.

Features and benefits	Significant exclusions or limitations	Where to look in the policy wording
The insurer will pay fees for expert reports, disbursements and opponent's costs you are liable for in pursuing your legal action against another party, up to the maximum payment shown in the schedule.	We can end this insurance if we and your solicitor both agree there is no longer more than a 50% chance of you achieving a successful outcome in your legal action.	Meaning of words and terms – reasonable prospects of success and General conditions applying to the whole policy 3 d)
	If you achieve a successful outcome in your legal action, you will be liable to pay us the premium specified in the schedule.	General conditions applying to the whole policy 5)
	The insurer will not pay any costs which are incurred before the start of this insurance.	General exclusions applying to the whole policy 1)
	We can end this insurance and recover from you any payments already made if: <ul style="list-style-type: none"> • you withdraw from your legal action without our consent; • you fail to pass on any instructions to your solicitor; • you dismiss your solicitor without our consent; or • your solicitor refuses to continue acting for you with our consent. 	General conditions applying to the whole policy 3 a), b) and c)
	If you do not accept a fair and reasonable offer to settle your legal action, the insurer can refuse to pay any costs or disbursements.	General conditions applying to the whole policy 4 b)



Cancellation rights

You can cancel this insurance within 14 days of taking it out, or within 14 days of receiving your policy documents, whichever is later. You will be entitled to a full refund of any premium you have paid to us but you may have to pay for any services we have provided for your legal action.

We can cancel this insurance at any time, subject to 7 days' notice, if there is a valid reason to do so. If there is evidence that your legal action is fraudulent, dishonest or exaggerated, we can void this insurance

and recover from you any sums paid in respect of that fraudulent or exaggerated legal action.

Full details of cancellation rights can be found in the policy wording.

The insurer

This insurance is underwritten by International Insurance Company of Hannover SE who are registered in Germany, registration number HRB 211924.

Registered Office: Roderbruchstraße 26, 30655 Hannover, Germany, acting through its UK branch whose office is located at: 10 Fenchurch Street, London EC3M 3BE, United Kingdom.

Authorised by the Bundesanstalt für Finanzdienstleistungsaufsicht and authorised and subject to limited regulation by the Financial Conduct Authority (FCA No. 659331).

Financial Services Compensation Scheme

The insurer is covered by the Financial Services Compensation Scheme (FSCS). You may be entitled to compensation from the scheme if they cannot meet their obligations. This will depend on the circumstances of the claim.

Further information about the compensation scheme arrangements can be found on the FSCS website at www.fscs.org.uk

What to do if you have a complaint

We will at all times endeavour to provide you with a high level of service. However, if things go wrong and you are not happy with our standard of service, please let us know:

Email: complaints@legalprotectiongroup.co.uk

Phone: **0333 700 1040**

Post: **Customer Service Department,
Legal Protection Group Limited,
Lysander House, Catbrain Lane,
Cribbs Causeway, Bristol BS10 7TQ**

If we are not able to resolve your complaint to your satisfaction, then you can contact the Financial Ombudsman Service:

Email: complaint.info@financial-ombudsman.org.uk

Phone: **0800 023 4567** (free from a landline) or **0300 123 9123** (free from some mobile phones)

Post: **Financial Ombudsman Service,
Exchange Tower, London E14 9SR**

You can also visit their website www.financial-ombudsman.org.uk and follow the guidelines on how to complain.

Using the Financial Ombudsman Service does not affect your legal rights.

Full details of the complaints process can be found in the policy wording.

LEGAL PROTECTION GROUP LIMITED

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Registered in England and Wales, company number 10096688

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