

Association of Medical Reporting Organisations (AMRO)

MEDICAL REPORTING ORGANISATIONS REACH AGREEMENT WITH INSURERS TO CAP RATES

Agreement brings end to uncertainty on recoverability of agency fees and the withdrawal of Woollard –v- Fowler appeal by insurers

The Association of Medical Reporting Organisations (AMRO) today – Friday 11th May 2007 - announced an agreement has been reached between the eight largest medico-legal reporting organisations and 10 leading insurers on capped agency fees for medical reports in Road Traffic Accidents and Employers' and Public Liability cases where damages do not exceed £15,000.00. Other insurers are indicating their intention to follow suit shortly.

The agreement, with insurers representing over 60 % of the personal injury claims market, follows a three-month mediation period in respect of the case of Woollard-v-Fowler. As part of the agreement, the insurers behind the appeal to the Court of Appeal in Woollard-v-Fowler have withdrawn the appeal thereby bringing a close to the uncertain climate surrounding the recoverability of agency fees in fixed recoverable cost cases.

This outcome recognises and endorses the value and involvement of independent medico-legal reporting organisations in the process of obtaining medical evidence in personal injury claims. It also brings a close to disproportionate challenges, time and cost caused by not having prescribed predictable disbursement rates.

Other insurers and medical reporting agencies will be able to sign up to the terms of the agreement by giving notice to Colman Coyle LLP (acting for AMRO) or Beachcroft LLP (acting for the insurers).

The agreement covers Orthopaedic, A&E and GP reports. For reports from other disciplines of experts or where damages exceed £15,000.00, agency fees will be recoverable in addition to those of the expert providing the agency fees are reasonable and proportionate. The decision of Master Hurst on 24th May 2006 remains good law

such that agency fees are recoverable from the Defendant/paying party provided such fees are reasonable and proportionate and for avoidance of doubt such fees are to be treated as a disbursement and not as a profit cost.

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