

Aviva Court Win – South Wales Taxi Fleet

In September 2013, a large taxi firm in Cardiff picked up four passengers in the city.

In the course of the journey the taxi driver was carrying out a three point turn at a very low speed when he mis-judged the distance and lightly collided with a wall.

He checked with everyone in the vehicle to make sure they were ok and got out to look at his car and the wall. There was no damage and everyone said they were fine so he continued with the journey.

In January 2014 Aviva received soft tissue injury claims from the 4 passengers. Aviva promptly carried out an inspection of the insured's vehicle.

The inspection confirmed the drivers full version of events, there was no way that anyone travelling in the vehicle could have been injured.

Liability was admitted by Aviva, however causation concerns were quickly raised based on the insured driver's statement and the lack of damage to his vehicle.

The third party solicitors proceeded with the claims for their clients and litigated for three of them, 18 months after submitting the claim in July 2015.

Aviva in the meantime had passed their file to their solicitors who specialise in claims such as these which are classed as low speed impact claims.

Aviva's solicitors advised a reserve of £46,000 to cover both sets of costs and any damages that may be awarded to the claimants.

In April 2016 the case proceeded to trial and the driver was happy to go along and give his evidence. He gave a solid account of the accident and said that he was "absolutely amazed that anyone could be injured as the result of such a minor accident" pointing out that he was in the same vehicle and hadn't sustained any injury. The claimants proved to be terrible witnesses, their accounts were riddled with inconsistencies.

The judge ruled in our favour and we made savings of £41,000, an excellent result for the taxi fleet customer, their broker, TFP Schemes and Aviva.

Collaborative working at its best!