



# A tale of two insurance claims

At first sight they looked like the extras in *Shaun of the Dead* as they moved with exaggerated slowness and all in step with each other. If it had not been for one of the two disasters that beset us before Christmas we would probably never have set foot inside the Wild Stallion Country Music and Line Dance Club to watch a group of people performing intricate steps to the music of Ian Highland and the Twilight Band.

It was one of the good outcomes of the well-managed insurance claim. Here now is the tale of two insurance claims (not the most thrilling title, but remember that law is a calm vocation and it would not be good for me to give you too much excitement all at once).

On 24 October last year our guests banged on our window shouting that there was a fire. Next to our house we have a converted thatched barn. It is a long story but our house and land are in trust for a member of the family disabled by a medical accident, and the barn (until fairly recently derelict) was converted into a holiday cottage to buffer her from the fickle ways of the equity market.

We had dashed across to see what the problem was – half hoping that it was some kind of hoax. We found flames coming through the door of a built-in wardrobe in a downstairs bedroom.

No time to crank up our ancient fire engine. Seconds, not minutes, now counted if we were to stop the fire spreading to the thatch. My wife and I grabbed a fire extinguisher and plunged in through the acrid smoke and darkness (the lights were all out). We opened the door gingerly. The flames spat out at us. We reduced the flames to smouldering smoke, then shut the door, and joined the shivering huddle of our guests as we waited for the firemen who arrived in force a few minutes later and swarmed in with breathing apparatus, hoses, heat detecting camera, the lot.

It was a grim night. Our poor guests were homeless. One couple had lost their clothes and were traumatised by what did happen and, worse, what might have happened if the fire had broken out a few hours later when they were asleep.

The cause, it turns out, was a fault in an almost brand new electrical consumer unit which did the reverse of what it was supposed to do: caused rather than prevented a fire. In the days afterwards we discovered that the manufacturer of that unit had issued a product recall because of the risk of fire. We also discovered that the fire had tracked up inside the wall to within inches of the thatch – we had come very close to a real disaster.

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No time to dwell on these things. There was a further disaster in the offing. At the approach of Christmas, the car went in for its MOT. Part of the testing involves revving up the engine and then taking measurements. Suddenly the car shot back into a pillar, almost ripping off the driver's door and causing several thousand pounds of damage, fortunately only bruising the mechanic who had an unexpected (if brief) reverse journey. It was of course only a car, but it was specially required for our disabled family member and we needed a similar car as a replacement. Enter Ian Highland, but not just yet.

## **Aftermath: the good, the good and the ugly**

The day after the fire, our insurers (NFU) swung into action. In next to no time their loss adjuster had arranged for industrial cleaners to clear the soot and grime from the place and authorised the remedial work, the replacement electrics, the new carpeting and the decorating. Full marks to them.

And the insurers for the MOT centre (Aviva) had organised a specialist replacement car which was delivered the following day from London. It took many weeks to repair the car and they covered the cost of the car hire throughout without a murmur. Full marks to them too.

If I had put on the market an electrical unit that could set fire to property (and put lives

at risk), and had failed in my efforts to get the message across to consumers who might be affected by the defect, I would be tumbling over myself to make amends. Not so these people. They have known about our fire since a few days after it happened. They have also known that we had to put our guests up in a hotel the night of the fire, and pay for alternative accommodation to enable them to complete their holiday. A carefully worded

letter of claim sent in January produced... an acknowledgement. I had copied in the managing director of the company that makes the units. His solicitor wrote: “You have made a claim which is being dealt with by insurers. It would be inappropriate for us to make any comment and we have nothing further to say to you on this matter.”

So there we have it. ‘Dealt with’ is an optimistic way of describing the evident inactivity of the insurers for the manufacturers.

Out of pocket, fed up, and having mean thoughts against those who put defective products on the market is the way of describing our feelings.

But if it had not been for the car disaster, Ian Highland (whose day job is renting out cars) would not have mentioned that he is a country and western singer and occasionally came to Norfolk and we would not have had an enjoyable gentle evening of line dancing to the strains of his melodious music in the heart of Norwich. It goes to show that clouds do have silver linings, but if it is ok by you I would prefer them not to be clouds of smoke.



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