



Financial
**Ombudsman
Service**

please write to **Financial Ombudsman Service**
South Quay Plaza
183 Marsh Wall
London
E14 9SR

website www.financial-ombudsman.org.uk

1 July 2011

Dear consumer

You have been waiting patiently to hear from us about the outcome of your complaint for delay under your travel policy with Europ Assistance.

As you may know, the ombudsman issued a final decision in a case similar to yours. She concluded that the wind-borne cloud of volcanic ash could fairly be considered to be a "poor weather condition" and that the complaint in question should succeed.

You will find the ombudsman's decision on our website (at http://www.financial-ombudsman.org.uk/publications/technical_notes/travel-insurance-ash-mar11.pdf).

If you do not have access to the internet, please phone me and I will send you a copy of the decision.

Although the majority of insurers either resolved these claims themselves – or accepted the ombudsman's ruling – I am sorry to tell you that Europ Assistance did not do so. It has decided to challenge the decision through the High Court by way of a judicial review. I very much regret that Europ Assistance has decided to take this unusual step which will inevitably cause further delay.

The ombudsman will be defending this legal action. But this can only add to the inconvenience that this matter has already caused. Until the legal action is concluded, I am afraid that we cannot issue any further decisions on individual cases.

When the court rules on the judicial review, I will write to you again and let you know the outcome. In the meantime I can only apologise and ask you to continue to be patient. Please be reassured that you will *not* become personally involved in the court case and you need do nothing except wait until you hear from me.

Your sincerely

A handwritten signature in cursive script that reads "Campbell".

Tracy Campbell
head of casework support