

## **The complaint**

Mr and Mrs H have complained about the way Covea Insurance plc (Covea) have handled their claim under their motor insurance policy.

## **What happened**

Mr and Mrs H's car was involved in an accident in April 2021. It resulted in the car being written-off.

Mr and Mrs H subsequently made several complaints to Covea about the claim. This included issues regarding the liability of the claim, the value of the car and the handling of their no claims discount (NCD).

The matter regarding liability subsequently went to court. Mr and Mrs H have complained about the way Covea handled this and in particular, that they failed to provide all evidence to the judge, hindering their ability to reach a fair outcome. They have also complained that Covea have not responded to all communications they have sent.

Covea responded in December 2023 to say that they weren't responding to all emails any more as a ruling on liability had been made. They have also said they acted fairly with regard to the court proceedings and have said that they provided all appropriate evidence and documentation for consideration.

Mr and Mrs H remained unhappy and brought their complaint to our service for an independent review. Our investigator looked into it. She didn't agree that Covea hadn't provided full information to the courts and thought they had acted fairly in not responding to all emails.

As no agreement was reached, the case has been passed to me to decide.

## **What I've decided – and why**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Having done so, I have come to the same conclusion as the Investigator. I'll explain why.

Firstly, I would like to empathise with Mr and Mrs H. I am aware from the file how strongly they feel in regard to these matters and the significant impact this would have had on them. Having gone on for several years now.

However, I must remind Mr and Mrs H that I am only considering Covea's actions in regard to court submissions and also the service provided in responding to emails. Complaints regarding liability, claim value and NCD have been considered previously, separately.

Having reviewed the file in full, I haven't seen any evidence to conclude that Covea are

responsible for any documentation not being provided in the submission to the courts. Covea have said that the claimant's witness statement wasn't provided in full (causing the judge to request oral evidence from the claimant).

I am satisfied this statement was the responsibility of the third-party to provide and wasn't the fault of Covea. I appreciate that Mr and Mrs H believe it impacted the case and had a bearing on the outcome. But I can't hold Covea responsible for that.

Mr and Mrs H have also complained that not all emails they sent to Covea were responded to. However, Covea have made us aware of the volume of emails that they received and that this continued after the court decision was reached. I think they acted fairly in not replying any longer from the point they did. Whilst I can see this frustrated Mr and Mrs H, I can't say Covea were unreasonable here or that not replying to every email caused any real impact that should be compensated for.

In summary, I don't find that Covea are responsible for not providing any documents to the court for consideration. Whilst I can see they didn't reply to all emails from Mr and Mrs H, I think they acted fairly here. There were a considerable number of emails and I don't think it is reasonable to have expected them to have replied to each and every one. Especially as the court decision on liability had already been reached. I also don't find that not responding to every email had any material impact to Mr and Mrs H that warrants compensation.

### **My final decision**

My final decision, for the reasons set out above, is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H and Mrs H to accept or reject my decision before 8 November 2024.

Yoni Smith  
**Ombudsman**