

The complaint

Mr K has complained that his motor insurer, Haven Insurance Company Limited ('Haven'), refused to deal with a claim he made on his policy and then proceeded to avoid it.

What happened

In April 2025 Mr K was involved in an accident where he said a cyclist made him lose control of his car and collide with two stationary cars. He said after the accident the cyclist rode off and he wasn't able to get their details. Mr K stayed at the scene for two hours but as neither of the owners appeared, he left notes on the cars with his details. He also reported the incident to Haven.

Haven inspected Mr K's vehicle, which it said was uneconomical to repair, and also arranged for inspections to the other cars. After comparing the damage, it informed Mr K that the damage to his vehicle was not consistent with the damage sustained by the other two and that it had concerns that the accident did not happen in the manner he had described. It added that the claims inspector it had instructed viewed CCTV footage, and it didn't show the accident occurring as alleged by Mr K. It concluded that Mr K's intention was to derive a more favourable financial settlement than the one he may have otherwise been entitled to and cited a fraud term contained within its terms and conditions before declining the claim and avoiding the policy. It also informed the two claimants that it considered the presentation of their claims to be fundamentally dishonest and didn't have any offers to make.

Mr K didn't agree with Haven's decision and complained. He said Haven delayed reaching its decision and did not keep him updated. He added that it also failed to provide him with a copy of the engineer's report and the CCTV footage it had relied on.

Haven responded to Mr K's complaint, but it didn't uphold it. It said it didn't consider that there were delays in the claim being assessed and had no concerns with its decision to repudiate it.

Unhappy with Haven's response, Mr K brought his complaint to our service where it was reviewed by one of our investigators. Our investigator didn't think Haven had to take any further action and thought that it had dealt with the matter fairly and reasonably.

Mr K didn't agree with our investigator and asked for an ombudsman's decision. He said he had witness evidence he could produce. Our investigator relayed this to Haven who said it found the CCTV footage to be more reliable and questioned why the witness was not presented earlier.

Our investigator asked for Haven's permission to share the claims inspector's report with Mr K but it refused and said it contained sensitive information. Our investigator confirmed to Mr K that it had been shared with him and he wasn't persuaded that Haven acted unfairly.

The matter was then 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.

The policy

Like most motor insurance policies, the policy contains a fraud term which states that if the insured makes a claim knowing it to be fraudulent, false or exaggerated etc. the policy will be avoided and all claims rejected. It also states that in the event of fraud, Haven will retain all premiums paid.

The expert evidence

The engineer who inspected Mr K's car said they were concerned to see very poor prior repairs, including the use of expanding foam to hold the near side sill moulding. They added that the engine was exceptionally noisy and suspected a timing chain issue. The engineer also said that the near side front door had black marks which appeared to be rotational which caused the engineer further concern bearing in mind the other two cars were stationary at the time of the collision. The engineer added that the colour transfer onto one of the wheels of Mr K's car didn't match the colour of the other cars and remarked that they didn't consider the damage to the three cars to be consistent both in terms of nature and quantum. They said that they expected Mr K's vehicle to have sustained the most damage and for the second car to have less damage which was seemingly not the case.

I think it is fair and reasonable that Haven relied on the report of an engineer, who is an expert in this area, in arriving at its decision. And as far as I am aware there is no other expert evidence which contradicts what the engineer has said. So, on the basis of the engineer's view that the vehicle damage is inconsistent, I think Haven's actions were fair and reasonable. I have, therefore, decided not to interfere with its decision to rely on the fraud term to reject the claims and avoid Mr K's policy from inception.

I appreciate Mr K would like to see the CCTV footage the inspector viewed but I understand Haven is not in possession of the footage. But it said the inspector who reviewed this footage himself, said the accident did not happen as described by Mr K. Haven did not agree to us sharing the inspector's report with Mr K but myself and our investigator have both viewed it. I appreciate Mr K would like a copy but as it contains sensitive information it isn't something we are able to share with him. It isn't uncommon for businesses to share sensitive information with our organisation on a confidential basis. And having considered this information, I maintain my view that Haven's actions are fair and reasonable.

But even without considering the inspector's report, I think Haven's actions are fair and reasonable based on the information contained in the engineer's report which said that the

damage to the three cars was inconsistent. And as far as I am aware that report has been shared with Mr K.

Delays

Mr K also said that Haven caused delays in assessing the claim. I have considered what Mr K said, but I didn't think this was the case. From what I have seen, engineer's reports were obtained in April and May 2025. The claim rejection letters were sent to the two claimants at the end of May 2025. And the repudiation letter was sent to Mr K at the beginning of June 2025. In the specific circumstances, I think bearing in mind the complexities involved including inspecting three separate cars, interviewing the parties and instructing various experts, Haven's investigations were completed within a reasonable time.

I appreciate Mr K will be disappointed with my decision but for the reasons I have given above, I don't think Haven needs to take further action.

My final decision

For the reasons above I have decided not to uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 9 January 2026.

Anastasia Serdari
Ombudsman