

## **complaint**

Mr T complains about the investigation conducted by UK Insurance Limited ('UKI') after a third party made a claim on his motor insurance policy. He's also unhappy that his premiums went up.

## **background**

Mr T's car was in an accident when it hit another car after rolling forwards after Mr T left it parked. Mr T says the accident wasn't his fault. He's unhappy with the way UKI looked at evidence about the accident. He thinks it's paid out on a claim that's fraudulent and that the accident never happened. He says that because of this, his insurance premiums have gone up. He also says that he doesn't think the third party's car was damaged because there wasn't any damage to his car. He also says that UKI's engineer previously told him that the evidence wasn't in line with what had happened.

There's CCTV footage that is said to show the accident. Mr T has questioned whether this actually shows it was his car that was involved in the accident.

Mr T has also said that the claim against his policy has made it more difficult to take out other insurance elsewhere.

UKI says that it applied a discount to Mr T's policy after his wife unfortunately died – the policy would normally have gone up because it was cheaper for both Mr T and his wife when they were both covered. But it did this for only one year. And due to the subsequent claim by the third party and UKI deciding that Mr T was at fault, UKI says Mr T's no claims discount was reduced, leading to his premium going up.

Our adjudicator thought UKI had carried out a fair investigation of the accident. Mr T disagrees and so his complaint has been passed to me for a final decision.

## **my findings**

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

I've looked at all the available information to see how the claim against Mr T's policy was investigated so that I can be sure that it was a fair and reasonable investigation. It's not the role of this service to say who's at fault when an accident happens. That's a matter for the courts to decide. But we do consider whether a business has reached its decision fairly, having considered the available information.

I haven't seen anything that makes me think that the circumstances of the accident weren't properly investigated. I can see that UKI was aware that Mr T thought the accident never happened when it was doing its investigation. I've also seen that it obtained an engineer's report and reviewed the available CCTV footage as part of the investigation. So, taking all of this into account, I don't think it was unreasonable for UKI to settle the claim as it did, by accepting that Mr T was at fault for causing the damage to the third party's car.

Mr T has told us that an engineer from UKI said that the evidence showed that Mr T's car hadn't damaged the third party's car. But Mr T hasn't been able to provide us with further

evidence of this – perhaps it has arisen from a misunderstanding - and I haven't seen any evidence that might support this.

I've also looked at the CCTV footage. This shows a car rolling down the street and hitting another parked car. Mr T has seen this too. Whilst I agree that the registration number isn't clearly visible, the car in the footage seems to be the same, make, model and colour as Mr T's car. I've also noted that the footage was taken at the same location and at around the same time as the accident. All of this is enough to make me think that it's more likely than not that it's Mr T's car shown in the footage. Mr T hasn't been able to provide any additional evidence to make me think that this isn't the case.

I've also looked at the explanation given by UKI as to why Mr T's premiums went up. UKI says this shows that it calculated the premiums correctly. And it is to be expected that premiums will go up after a fault claim, as this is a factor which insurers will take into account when assessing risk. This will also reduce the no claims discount. In this case too, there was a premium adjustment after the policy renewed in Mr T's sole name. I've seen nothing to suggest that Mr T has been treated any differently to other customers in the same circumstances, and so I don't think UKI has been unreasonable in the way the premiums have been affected.

Overall, having looked carefully at all the available information from UKI's investigation, I don't think it was wrong to find Mr T to be at fault and to pay the third party's claim. This meant that Mr T's policy premiums went up.

### **my final decision**

For the reasons I've given above, I won't be upholding Mr T's complaint and so I won't be asking UK Insurance Limited, to pay Mr T any compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 28 September 2015.

Michael Goldberg  
**ombudsman**