

# After The Event Insurance

Dispute Resolution



**MARKEL**



# An 'A' Rated Insurer



'A' Rated Insurer\*



**\$18.9bn**

Market Cap†

**#352**

2023 Fortune 500

**\$15.0bn**

Net Assets‡

**\$14.0bn**

Gross Written Premium‡

\* Cover is underwritten by Markel International Insurance Company Limited with financial strength ratings of A (Strong) from Standard & Poor's and A (Excellent) from A.M. Best †At 12 February 2024 ‡At 31 December 2023

# About us

Supporting solicitors commitment to provide access to justice for their clients.



For the last 20 years, Markel UK has been one of the leading after the event insurers, providing solicitors with an 'A' rated insurance solution for personal injury risks.



The close relationships we build with our law firms through our willingness to listen and respond to their needs ensures we always remain ahead of the market whilst offering the highest quality solutions to the risks claimants face today.

Personal Injury litigation has evolved dramatically over the past 10 years and there is no longer a one-size-fits-all approach. At Markel we pride ourselves on understanding the needs of the claimant as well as the solicitor by offering innovative and market-leading products to meet those needs.

We believe long-term relationships are built on great customer service, trust and integrity.

- ✓ Flexible insurance cover for all litigation matters
- ✓ Protection from exposure to opponent's costs and disbursements
- ✓ A tailored approach to ensure we provide the right coverage and appropriate premium staging to help settle cases efficiently in the client's best interests.
- ✓ Expert underwriters who take a pragmatic approach to litigation
- ✓ Ability to insure hybrid CFAs and counsel fees where required
- ✓ Ability to draw down on court fees on eligible cases\*
- ✓ Rebated premium for early settlement
- ✓ Dedicated single point of contact

\* Subject to scheme terms and conditions



# ATE Insurance

## Key areas of cover



Some of the key areas where ATE insurance is needed.



### Insolvency cases

We can work with IPs and lawyers to ensure a competitive ATE package for all your insolvency requirements. Premiums are contingent on success, allowing claims to be pursued which otherwise would not be able to progress. Where appropriate, we can also offer a portfolio insurance solution, giving IPs and specialist insolvency lawyers a trustworthy insurer in pursuing these claims.



### Professional negligence

We aim to provide access to justice where clients have been let down by professionals or when acting on the advice given by these professionals. This could be from when instructing solicitors overlook and miss deadlines to financial advisors giving advice which is not in the client's best interest. Other cases could also cover IFAs giving advice on pension schemes and surveyors missing crucial elements in a property transaction.



### Group actions

Litigation can be a daunting prospect for the client in any event, but when the action involves many claimants, all seeking the same outcome, from the same person for the same reason, it gets very complex.



### Contract disputes

In a world where litigation is often the preferred route for issues arising out of either party bound by a contract, an ATE policy can provide the safeguard for a claimant bringing this action. We have the expertise and experience to review and type of contract dispute, across all sectors – providing protection for the client.

# ATE Insurance

## Key areas of cover



### Intellectual property disputes

Whether your client is pursuing or defending an intellectual property dispute, the path forward can seem complicated and, potentially, very costly. We are experienced in all types of IP disputes, and we will work with you to arrive at a policy that is specifically tailored to that piece of litigation and gives your client cost certainty.



### Top-Up cover

Due to the unpredictable nature of litigation it is inevitable that the scenario will arise whereby you find yourself underinsured on a case. Our top-up cover is available for any type of case and able to dovetail with any existing policy (whether underwritten by us or not). Each policy is bespoke for the risk presented, ensuring you have the right level of cover for your case.



### Acting Under Conditional Fee Agreement (CFA's)?

In recent times there has been a shift towards acting under Conditional Fee Agreements (CFAs) in civil dispute resolution. The CFA approach dovetails perfectly with After The Event insurance products with premiums assessed more competitively when there is an element of risk sharing. If your business model has the capacity to defer the cashflow, it makes sense to consider the option of acting under a CFA on strong cases as it enables you to have a degree of stability and predictability of income in future years, regardless of market turbulence. It is therefore advantageous (although not essential) to your quote if you are prepared to represent your clients on this basis.



### Contentious trusts and probate

Contentious probate is a growth area in litigation and we regularly receive enquiries from clients seeking ATE insurance to preserve their position. We fully understand the importance of having protection when faced with this type of litigation.

We are able to cover a wide range of civil litigation cases and our quote service is fast and free of charge.

# Contacting our ATE specialists

Contact us



Having an ATE policy in place, which covers both general costs risks and, more specifically, can cover own disbursements (including counsel's fees), greatly reduces your client's exposure to risk whilst also giving them cost certainty and peace of mind.







## Contacting our specialists

Call us on: **0370 607 8999** or email us at: [ateservicesuk@markel.com](mailto:ateservicesuk@markel.com) to discuss the above scheme or any others, and we will be pleased to deal with your enquiry.

Alternatively, please complete our proposal form and send it to us with any supporting documentation at the address detailed on the form. You can find an editable PDF version of the form by visiting our document centre at: [www.uk.markel.com](http://www.uk.markel.com)

## Making an application

To help us to process your application as quickly as possible, some essential information and documentation is required.

-  Make sure you have fully completed and signed the application form
-  Make sure you attach a short case summary
-  Make sure you attach any protocol letters and any responses
-  Make sure you have attached a counsel's opinion where available

Once the proposal form is completed and sent through for a free assessment risk by a qualified lawyer, a response is sent back within 10 working days. If accepted, a policy is set up and the solicitor can proceed with the case. Missing documentation or information may well delay us being able to deal substantively.

**Please note that we do not insist on a law firm being instructed on a CFA for us to quote.**

# MARKEL

All information accurate at the time of production January 2024.

This document is not a policy document and contains only general descriptions. Policyholders must refer to the actual policy issued for the binding terms, conditions and exclusions of cover.

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