INSURANCE DISPUTE LITIGATION SUPPORT

When a Complaint Is Not Enough

A practical guide to preparing your insurance case, acting as a Litigant in Person and obtaining focused specialist barrister support.

FROM FIRST CALL TO FINAL HEARING

Four clear stages. You remain in control.

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WHY THIS GUIDE EXISTS

When does a complaint become a legal case?

A rejected or underpaid insurance claim does not become stronger simply because the decision feels unfair. If the dispute is moving towards formal legal action, the policyholder needs a case that can withstand scrutiny.

That means identifying the real issues, preserving important evidence, understanding the insurer's reasoning and deciding whether litigation is proportionate before time and cost are committed.

The purpose of preparation

To move from a collection of correspondence and reports to a focused case with clear issues, organised evidence and defined questions for specialist advice.

THIS GUIDE IS FOR

Policyholders considering what comes after the complaint process.

- A substantial rejected or underpaid claim
- Conflicting technical or expert evidence
- A dispute involving complex policy wording
- A case where pre-action steps are being considered
- A policyholder seeking structured LiP support

This guide is general information, not tailored legal advice. Time limits may apply.

What is a Litigant in Person?

A Litigant in Person is a party who conducts their own court proceedings. The claim remains yours: you make the decisions, approve the documents, meet the deadlines and remain responsible for what is filed with the court.

LiP support does not transfer conduct of the litigation to IDS. It gives you structured help with preparation and access to focused barrister advice or advocacy where separately instructed.

YOU STAY IN CONTROL

- You are the party of record.
- You approve and sign your documents.
- You decide whether and how to proceed.
- You meet court deadlines and directions.
- You instruct any barrister directly under separate terms.
- You remain responsible for the case throughout.

Supported by us. Conducted by you.

LITIGATION READINESS

Should this dispute move towards court?

Litigation is not the automatic answer. It is one route to be assessed against the evidence, value, legal issues, time limits, cost and realistic alternatives.

01

Merits

What policy, factual and legal arguments support the claim - and what weakens it?

02

Evidence

Are the important reports, records and witness accounts available and reliable?

03

Value

Is the likely benefit proportionate to the work, court fees and potential cost exposure?

04

Time limits

Have contractual, complaint and court deadlines been identified and protected?

05

Alternatives

Could further evidence, negotiation or another resolution route produce a better result?

A decision not to litigate can be as important as a decision to proceed. The objective is an informed, proportionate route - not escalation for its own sake.

HOW THE IDS LIP SERVICE WORKS

From first call to final hearing.

Four clear stages. Not every matter reaches a hearing, but every accepted instruction should have a defined purpose, agreed scope and a person you can speak to throughout.

1

Free initial review

We listen, identify the dispute, consider the stage reached and explain honestly whether and how the IDS service may help.

2

Clear proposal

Before paid work begins, you receive a defined written scope explaining the work, responsibilities and applicable cost.

3

Preparation

We help organise and assemble the chronology, evidence, statements, bundles, position documents and focused instructions.

4

You proceed

You file, sign and present your case with agreed support. You remain the Litigant in Person throughout.

- Scope and cost agreed first
- You remain in control
- Support through each agreed stage

Four parts of a counsel-ready insurance file.

The aim is not to send every document. It is to make the decisive documents and questions easy to understand.

01

The policy

The relevant wording, exclusions, endorsements and conditions - tied to the actual facts of the loss.

02

The decision

A clear record of what the insurer decided, why, and whether its reasons changed over time.

03

The evidence

Expert reports, records, photographs, correspondence and witness material organised around the disputed issues.

04

The loss

A supported calculation of the amount claimed, payments made, deductions applied and continuing financial impact.

The file should allow the reader to see what happened, what is disputed, what the evidence proves and what decision is now required.

PREPARATION IS PERSUASION

A case is easier to assess when the evidence has a structure.

Good preparation does not change the facts. It makes the facts, gaps and disputed conclusions visible - without exaggeration or unnecessary volume.

Chronology

A dated sequence that shows the claim, decisions, reports, payments, delays and important procedural events.

Document bundle

A usable, indexed set of relevant documents with duplicates and distractions removed.

Witness evidence

Statements based on the witness's own recollection and records, checked and approved before signature.

Position documents

Focused submissions or summaries that connect the policy, facts, evidence and remedy sought.

Nothing should be signed or filed unless you have read it, checked it and believe it to be accurate.

DIRECT ACCESS BARRISTER SUPPORT

Focused legal advice and advocacy where it adds real value.

Subject to suitability, availability and acceptance of instructions, a qualified Direct Access barrister can provide specialist input while you remain the Litigant in Person.

Merits and strategy

Advice on the legal position, prospects, risks and appropriate next step.

Written documents

Drafting or settling appropriate legal documents within the accepted instructions.

Experts and settlement

Advice on specialist evidence, negotiation and possible settlement.

Hearings and advocacy

Representation at an appropriate hearing where counsel is instructed and available.

The barrister is independent and agrees their own scope, fee and professional terms directly with the client.

OUR ROLE, CLEARLY STATED

Support for you, conducted by you.

Transparency is part of the service. The agreed scope should say exactly what IDS will do and what remains your responsibility.

What we can do

- Help identify the disputed issues and organise the case.
- Prepare chronologies, document sets and agreed draft material.
- Help define the questions for specialist barrister advice.
- Coordinate appropriate independent expert or barrister input.
- Provide practical support through each agreed stage.

What remains with you

- You remain the party conducting the proceedings.
- You approve, sign and file documents in your own name.
- You meet court directions, deadlines and procedural requirements.
- You decide whether to issue, settle, continue or discontinue.
- You pay court fees and any separately instructed professional fees.

Meridian Legal Services supports litigants in person but is not authorised to conduct litigation and does not do so.

BEFORE YOU PROCEED

Costs, deadlines and risks should be understood early.

Court action is a formal process. A strong claim can still involve uncertainty, cost and responsibility. These questions belong at the start of the strategy, not the end.

Time limits

Complaint, contractual and court deadlines can differ. An initial review does not stop time running or protect a limitation date.

Court fees

Issue, application and hearing fees may be payable directly by the litigant and should be budgeted before action is taken.

Professional costs

IDS, barrister and expert work should each have a clear scope and cost agreed under the relevant separate terms.

Adverse costs

Depending on the court route and decisions made, a litigant may face an order to pay some of the other side's costs.

Evidence risk

A case may change as reports, disclosure or witness evidence develops. Early views are not guarantees of the final outcome.

Settlement decisions

The value of a proposal should be assessed against prospects, delay, stress, cost and the practical benefit of continuing.

START WITH A FREE CLAIM REVIEW

Before you escalate the dispute, make sure the case is ready.

Tell us what happened, what the insurer decided and what stage the claim has reached. We will consider whether the matter appears suitable for further assessment and explain the possible next step.

START YOUR FREE CLAIM REVIEW

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