

**We understand the importance of controlling costs and being meticulous over every area of a personal injury claim. We also know the value and peace of mind that comes from having real experts on your side.**

DWF Forensic is a team of experienced, qualified forensic accountants and investigators. Working alongside one of the largest insurance and claims teams in the UK, DWF Forensic offers insurer clients specialist forensic accounting expertise - helping to assess the financial elements of all personal injury and fatal accident claims from a realistic, commercially-relevant position.

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## **What we do**

The view that a forensic accountant only provides calculations for the Counter Schedule is outdated. The earlier the involvement the better and we can assist with a wide range of issues relating to earnings and pension.

DWF Forensic provides immediate, cost effective access to a high level of accounting expertise for personal injury claims. From developing the strategy for the case through to working alongside the legal team throughout the lifespan of a case DWF Forensic is a cost-effective alternative to instructing an external forensic accountant.

We are known for our expertise and experience in three core areas:

### **1. Quantum**

Providing advice on loss of earnings and pension throughout the lifespan of a case. We can be instructed through the legal team handling your case or, if only accounting assistance is required, we can be instructed directly. If an accounting expert is required under CPR Part 35 the in-house team can assist in identifying relevant documents and drafting instructions to minimise external costs. Key areas of work include:

- Preparing reserve calculations for loss of earnings.
- Reviewing Claimant's disclosure to identify further documents needed.
- Reviewing HMRC self-assessment and/or NIC records
- Reviewing of a Claimant's Schedule of Loss
- Drafting instructions to an external forensic accounting expert
- Drafting Part 18 questions for the Claimant
- Drafting Part 35 questions for the Claimant's expert forensic accountant

- Drafting sections of the Counter Schedule for earnings and pension
- Providing alternative loss calculations for negotiations
- Attending Joint Settlement Meetings for 'on the spot' calculations

### **2. Overseas earnings and pensions**

We deal with claims involving non-UK earnings and pensions on a regular basis. These can give rise to issues:

- Where the earnings and pension fall to be taxed.
- The application of tax legislation in developing economies in practice
- Whether the compensation will be subject to (non-UK) taxation

### **3. Periodical Payment Orders**

We have considerable experience of reviewing periodical payment orders and annual payments. We can:

- Assist in quantifying annual payments for complex step changes across multiple heads of claim or involving delayed start dates
- Review the calculation of historic payments if their accuracy is disputed
- Calculate the annual payment following the publication of the new ASHE figures each year NB: The PPO case does not have to have been previously dealt with by the in-house team (or DWF LLP) for a payment review or annual re-calculation to be undertaken.

## Innovative solutions for claimant profiling

Insurers are under increasing pressure to control their claims costs. Claimant profiling can help significantly in this area, however your claims teams may not have access to sophisticated profiling tools to help them with this.

DWF Sonar Claims verifies claimant information through a comprehensive set of search tools, many of which are not accessible to legal advisers and claims handlers outside of fraud departments. These tools help DWF to build a profile of the claimant, enhance strategy, deliver efficient claims management, and identify potentially fraudulent and exaggerated claims, thus avoiding unnecessary claims leakage.

For a fixed fee one of our analysts will provide the client's claims handler or legal advisor with a legally privileged and confidential intelligence report, from which conclusions and further recommendations are made. This is turned around in a five working day timeframe. If additional work is required, a rate is agreed.

## Recent examples of our work include:

- Counsel urgently needed to understand the interaction between UK state benefits and state pension with those in Ireland for Irish nationals moving between the two countries – a detailed analysis was provided within 24 hours;
- The Claimant had produced a large volume of disclosure documents indicating that a substantial six figure sum was being sought for loss of earnings although a Schedule of Loss

had not yet been prepared. Three days after submitting detailed Part 18 questions based on the disclosure provided the Claimant accepted the Defendant's out of date Part 36 offer of £55,000 gross;

- A £200,000 loss of pension dependency was claimed. The most significant element of the Deceased's pension income was £12,500 pa from a SIPP. Enquiries established that this was a pension in drawdown which had passed to the Deceased's widow and did not fall into the loss of dependency claim reducing it to £72,000;

## Why DWF Forensic for Personal Injury?

- DWF Forensic stands out as one of the few law firm in-house forensic accounting offerings, with a proven track-record in personal injury expertise.
- In the last four years, DWF Forensic has dealt with over 800 instructions. Our expertise has resulted in substantial reductions for loss of earnings and pension at settlement, even where the claims appeared straightforward at first reading.
- DWF Forensic can provide a wider range of support and options than an independent expert accountant allowing the insurer client to make informed decisions about strategy long before a case would typically be sent to an external accountant.

## Contacts



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## Beyond borders, sectors and expectations

DWF is a global legal business, connecting expert services with innovative thinkers across diverse sectors. Like us, our clients recognise that the world is changing fast and the old rules no longer apply. That's why we're always finding agile ways to tackle new challenges together. But we don't simply claim to be different. We prove it through every detail of our work, across every level. We go beyond conventions and expectations.

Join us on the journey.

