

Jewellers

We are specialists in providing practical, commercial advice to insurer clients with respect to a broad range of issues arising from jewellery-related claims.

Working across the DWF offices, our team of specialist jewellery claims experts advise some of the largest insurer names, providing home and other personal possession insurance, throughout the entire claim lifecycle - from pre-litigation through to complaints, litigation and recovery.

We have a proven track record for successes in defending claims against insurers and securing favourable outcomes across a range of jewellery claims, including those related to policy coverage, policy interpretation, liability and evidential disputes.

What we do

With the value of precious metals having increased considerably, in recent years, so has the volume of insurance claims relating to the loss and theft of jewellery. A particular spike in claims relating to Asian jewellery, renowned for its high gold content, means handling these matters requires sensitivity as well as expertise, not least because the items in question are often of sentimental value to the customer.

Our areas of expertise include:

- Policy coverage/interpretation (including limits of indemnity/sums insured) fraud, specified/declared items, quantum disputes, basis of claim settlement disputes.
- Underinsurance - Customers have often been caught out by this sharp rise in gold prices and upon presenting a claim, can find themselves significantly underinsured.
- Proof of loss Issues – with the burden being upon the customer to evidence his loss, customers often complain if they are

struggling to evidence ownership/insurable interest in particular when insurers insist upon production of original purchase receipts, valuations, estimates and customs declaration information for items imported from overseas.

- Fraud – we regularly work closely with insurers claims and counter fraud teams in the context of jewellery claims given they are often of high value. We carefully consider the available evidence and advise insurers as to tactics including whether there is sufficient evidence on which to plead fraud or alternatively whether the customer should be put to proof of his claimed loss.
- Advising insurers on the application of the Consumer Insurance (Disclosure and Representations) Act 2012, in the context of information provided by customers at inception.

Examples of our work include:

- Advising an insurer client in respect of liability in the context of various claims pursued against their policyholder by its customers in respect of the theft of customer jewellery items deposited, which were the subject of a theft from the premises.
- Advising an insurer client in respect of policy coverage and liability in relation to two claims with a combined value of £128k, submitted by a household customer relating to the theft of jewellery.
- Successfully obtaining evidence to resist a claim for the alleged loss of a ring, allegedly sustained while attending a surfing lesson, having obtained evidence from the surf school that the customer had not attended.
- Defending a £14k jewellery claim, having successfully persuaded the court of the claimant's inability to evidence her claimed loss.

Why DWF?

- We're committed to supporting clients with continuing professional development, through updates and advice on legal developments. An example of this is the introduction of the concept of "Collateral lies" by the Court in the Supreme Court case of *Versloot Dredging BV v. HDI Gerling*, which had a substantial impact for insurers in the context of fraudulent claims.
- We understand the importance of MI, in helping our insurer clients to recover costs, reduce litigation spend and to increase fraud detection. MI is captured throughout the claim, allowing us to monitor fields including litigation rates, success rates, client spend, costs recovery and damages paid.

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Contacts



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