

SUPREME COURT RULES COSTS PAYABLE IN THE EVENT OF DIRECT SETTLEMENTS BETWEEN CLAIMANTS AND INSURER



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Supreme Court rules costs payable in the event of direct settlements between claimants and insurer: *Gavin Edmondson Solicitors Limited v Haven Insurance Company Limited* [2018] UKSC 21.

In a much anticipated judgment handed down on 18 April 2018, the Supreme Court has ruled in favour of GESols in their claim for costs against Haven following the direct settlement of 6 low-value personal injury claims by Haven. Haven had reached the settlements directly with the individual claimants, and had agreed to settle on a costs exclusive basis. The Supreme Court held though that it had an equitable jurisdiction to order the re-payment of the settlement sums by Haven to enable GESols to exercise a lien over them to secure payment of the sums due by the claimants under their CFAs.

Despite being concerned with underlying personal injury claims, the case is significant for the wider legal industry as it is first time that the doctrine of equitable interference (also referred to as the solicitor's equitable lien) has been considered by the Supreme Court or House of Lords.

James Wibberley of Guildhall Chambers was part of the team representing Haven (led by Lord Marks of Henley on Thames QC). James will be speaking on the subject to solicitors' liens in general and the Edmondson v Haven case in particular at the *South West Costs Seminar on 1 May*.

