

Legal briefing

Why are some members losing out?

UNISON offers a comprehensive range of free legal services to members and their families.

The personal-injury scheme covers members for accidents at work and on union business. Help is also available for members (including retired members) and their families for road traffic accidents and other accidents outside work, such as slipping, tripping and holiday accidents.

Each year, UNISON wins over £26m for members who have suffered personal injuries. Yet in spite of the comprehensive nature of the legal service, we receive frequent requests from non-union lawyers to fund members' claims.

We want all members to have access to the best possible legal service. The approaches received from non-union lawyers suggest:

- some members are making do without union advice;
- lawyers are failing to advise members of the free union service.

Claims companies and non-specialist law firms are said to promise much but deliver little. Some UNISON members have learnt through bitter experience that pursuing a claim without the union's help can cost them financially and in terms of result.

Advertising from claims companies can be persuasive, while insurance companies have specialist units designed to 'capture' injury victims before they seek independent advice.

There may be conscious reasons why members decide not to use the UNISON legal service. Alternatively members simply might not know the extent of the legal service that we provide or that accidents outside work and involving family members are covered. We want to find out why



The union needs to understand why some members don't seem to understand the legal services that we offer

UNISON members choose other routes to pursue personal injury claims and will be undertaking some research to discover the reasons for this.

Of course members are free to decide which lawyer they wish to run their case. However, UNISON will only pay legal fees where UNISON has appointed lawyers who are approved by the union.

We refer personal-injury cases to experienced specialists with real knowledge of the work done by our members. This gives them a head start when dealing with members' claims. Our lawyers work to agreed standards and the union monitors the quality of service provided. Thompsons have achieved high satisfaction ratings from members using the personal-injury service.

UNISON cannot monitor or review legal services provided by other lawyers in the same way, so we cannot be assured of the service quality or be confident in the results produced.

'No win, no fee' deals do not always mean that the client does not pay. Fees charged include interest on loan agreements or charges made because non-union lawyers do not get paid until the

case ends. The UNISON legal service, by comparison, is totally without cost to the member.

Members using the union legal scheme do not pay. UNISON agrees to pay legal fees if the member uses the scheme, while special arrangements have been made between the union and our lawyers to achieve this.

There are standard letters used to respond to solicitors who request payment to pursue a member's case. Direct contact with the member is also made to try to ensure that the member:

- is aware of the services offered by UNISON;
- knows how to access the service;
- understands the service is free.

Requests from lawyers for financial support can be forwarded to the membership legal services department at Mabledon Place. We will respond and contact the member. The data we obtain will be used to consider what action we can take to improve access to the legal service for our members.

For personal injury and non-employment law help, contact UNISONdirect on 0845 355 0845 or textphone 0800 0967 968.

	Members	Members' families
Employment advice	✓ Free	✗
Accidents at work (inc industrial disease & work related)	✓ Free	✗
Accidents outside work (inc road traffic accidents, trips, holiday accidents etc)	✓ Free	✓ Free
Criminal Injuries Compensation Scheme (where a member has sustained an injury due to a crime of violence)	✓ Free	✗
Criminal law (work-related criminal offences)	✓ Free	✗
Wills	✓ Free (inc joint will)	✓ Special rates
Conveyancing	✓ Special rates	✓ Special rates
30 minutes legal advice on any non-work issue (inc immigration issues)	✓ Free	✗
Clinical negligence	✓ Free initial consultation, special rates thereafter	✓ Free initial consultation, special rates thereafter