

18 February 2021 - Statement of the FSPO on the withdrawal by FBD Insurance plc of judicial review proceedings

The High Court has today struck out legal proceedings commenced in August 2020, in which FBD Insurance plc had sought to prevent the Financial Services and Pensions Ombudsman (FSPO) from progressing the investigation of a complaint against the insurer.

The complaint, which FBD sought to prevent the Ombudsman from investigating, had been made against FBD by a publican policyholder, arising from the decision of FBD to decline the publican's insurance claim, for losses caused by business interruption, as a result of the enforced closure of the publican's premises, following Government guidelines to prevent the spread of COVID-19.

The High Court struck out the proceedings, on consent of the parties, noting the agreement of FBD to discharge certain legal costs to the FSPO and to the publican policyholder, which was a notice party to the proceedings.

The FSPO welcomes the striking out of this case and has confirmed he will vigorously oppose any attempt by a financial service provider or pension provider, to restrain him in the exercise of his statutory powers, to investigate a complaint pursuant to the provisions of the [*Financial Services and Pensions Ombudsman Act 2017*](#).