

Exploring the multiplicity of opportunistic insurance fraud through the lived experiences of loss adjusters: *A post-intentional phenomenological study*



Ewart Hodge *DCrim Candidate*
e.hodge@keele.ac.uk

Mary Corcoran *DCrim Pathway Lead*
m.corcoran@keele.ac.uk



Introduction

In 2019, the Association of British Insurers reported 106,993 cases of insurance claims fraud which totalled £1.2bn (ABI, 2020). Of these reported cases, 88.6% were defined as opportunistic (where a claim is exaggerated or fabricated). When considered by class of insurance, property insurance fared the worst where the incidence of detected opportunistic claims fraud stood at a staggering 98.7%. Opportunistic fraud is the most expensive part of the phenomenon of insurance fraud (Ericson and Doyle, 2004). Literature has often focussed on the characteristics of fraudulent claimants, with minimal research examining the roles employees of insurance institutions play in detecting fraud (Morley, Ball and Ormerod, 2006). This research places interest in the intentionalities of property adjusters towards the phenomenon of opportunistic claims fraud in the micro context of their professional practice as experts, furthering the discourse on insurance claims fraud by examining the experiences of property adjusters, presenting the crucial role that frontline professionals hold within insurance institutions.



Aims

1. To understand how opportunistic insurance claims fraud takes shape for loss adjusters in handling property claims
2. To understand how property adjusters perceive their role in combatting opportunistic claims fraud
3. To explore the main challenges of combatting opportunistic claims fraud as perceived by property adjusters
4. To explore if and how combatting opportunistic claims fraud has changed over time for property adjusters



Methodology

This research seeks out how property adjusters find themselves being in relation to the world through their day-to-day living, placing value in their lived experiences. A post-intentional phenomenological methodology will be employed as phenomenology allows one to gain a deeper understanding of these everyday experiences, offering the possibility of plausible insights that bring us in more direct contact with the world (van Manen, 2016). Three phenomenological material collections methods will be employed:

1. Lived Experiences Descriptions (written anecdotes)
2. Unstructured interviews
3. Researcher journaling

Once the materials are gathered, Vagle's post-intentional phenomenological analysis will be employed, using the theoretical lens of governmentality to interpret findings.



Pilot study findings

The pilot study show that the chosen post-intentional phenomenological methodology and theoretical lens of governmentality can produce novel insights into the lived experiences of loss adjusters. Pilot study findings presented loss adjusters as understanding how they fit into the socio-legal and insurance systems, while concurrently finding inherent frustrations with how they are governed by their insurer principals. Frustrations were rooted in the promotion of customer service outcomes by paying spurious claims rather than investigating them.

Key terms

A **loss adjuster** is a insurance claims expert contracted by an insurer to act on their behalf to investigate, validate, and ultimately settle insurance claims. In legal terms, loss adjusters are agents for their insurer principal. Loss adjusters will report to insurers on various aspects of the handling of their claims, including if potentially fraudulent behaviour is suspected.

Intentionality is a key tenet in phenomenology. Intentionality refers to whenever we are in a state of consciousness that is, thinking, perceiving, or daydreaming our consciousness is always of some phenomenon (Soule and Freeman, 2019). Intentionality should not be understood in the sense to intend, intention, purpose, or deliberation; rather it refers to the ways in which we find ourselves being in relation to the world through our day-to-day living (Vagle, 2010).

Post-intentional phenomenology is a phenomenological research approach that draws on phenomenological and post-structural philosophies devised by Mark Vagle. Methodologically, post-intentional phenomenology allows researchers to place multiple philosophies/theories/ideas in conceptual dialogue with one another to accomplish something(s) that these same individual philosophies/theories/ideas may not be able to do, in the same way at least, on their own (Vagle, 2019).

Governmentality is Michel Foucault's neologism for governmental rationalities - the ways of thinking about how regulate the lives of individuals and the conditions in pursuit of varying goals (Miller & Rose, 1990). Governmentality should be understood in the broad sense of techniques and procedures for directing human behaviour (Foucault, 2014).