25TH January 2017

MP

House of Commons

London

SW1 0AA

Dear

**Government Consultation: Reforming the Soft Tissue Injury (whiplash) Claims Process**

You will be aware that a MoJ consultation exercise on the above has recently closed, which followed an announcement on 29 November 2015, by the then Chancellor, George Osborne, in his Autumn Statement, which included plans to reform personal injury.

I strongly oppose those proposals:

* Long-held common law rights to receive redress for non-fault accidents would be extinguished
* Insurers will pocket any savings. The government’s proposals are non-binding on insurers
* There is an alternative package of reform (offered by A2J, “Alternative Claims Framework”) that will substantially reduce both fraud and frivolous claims without recourse to legislation
* Such proposals will lead to the loss of up to 45,000 jobs, UK-wide, a large percentage of which will be my region, the North-West, with a concomitant £1bn reduction in Exchequer revenues.

I work at Stephensons LLP and we have a large Personal Injury team, which helps thousands of genuinely injured people recover the compensation they need and are entitled to. I am aware that as a firm, we have responded to the Consultation in a comprehensive document, as we feel strongly that such proposals would have a hugely negative impact on the accident victims we represent and of course our Personal injury team, which would undoubtedly be required to downsize massively, resulting in significant job losses.

There is evidence available, obtained by organisations such as MASS, APIL, A2J and others, which comprehensively disproves the MoJ’s argument and impact assessment. There is a very strong possibility that the Government could be hoodwinked by insurers, who have little interest in customer rights, but are instead eager to preserve dividend pay-outs in an era of low investment returns.

The justification for these measures is supposedly to combat fraud and lead to insurers’ reducing motor insurance premiums. There is little or no evidence for either.

And whilst within my industry, we fully recognise the urgent need to tackle whiplash fraud, I do not believe this should be at the expense of legitimate claims for justice.

The proposals suggested will adversely impact all claims, regardless of whether they are legitimate. Even the insurance industry acknowledges that the vast majority, well above 99%, of claims, are legitimate. As an individual working in this sector, I have seen very little cases of fraud, and it is not something at Stephensons we encounter.

The Government anticipates savings of £40-50 per average motor insurance policy and expect insurers to pass these savings on to consumers. But there is little historical evidence that the supposed savings will be passed on to consumers by insurers through lower motor insurance premiums. And we are still waiting for insurers to pass on all costs savings to consumers following the reforms (LASPO) in 2012. In addition to which the Government have acknowledge that there is no mechanism by which the Government can force insurers to pass on these supposed savings.

With regard to the figures quoted as savings, as part of the response to this Consultation, 2 economic reports have been commissioned, which throw into question the savings figures commonly quoted.

I do not think it is right that innocently injured accident victims, however they are injured (and it should be noted that whilst the consultation is to deal with “whiplash” reforms, is not clear that the reforms apply only to such claims, or indeed all personal injury claims) should lose their historic rights of redress for the uncertain saving of £40 on their car insurance.

As an honourable MP within a community likely to be very hard hit should these proposals become law, I would welcome the opportunity to meet with you in person and seek your support as the issue plays out in Parliament.

Do please let me know if you are able to arrange a face to face meeting, and whether you would wish to receive a copy of Stephensons response to the Consultation, or indeed any of the other documentation referred to within this letter (Economic reports, ACF etc.).

Your time in reading this letter is greatly appreciated.

Yours sincerely