



The MoJ Reform

What does it mean for you?

The latest reforms to civil justice being introduced by the Ministry of Justice come into effect on 1st April 2013. The idea is to try and tackle the claims/compensation culture where litigation costs are becoming disproportionate.

A restraint on the culture would be welcome to restore the balance. The changes are certain to effect the entire litigation process when companies are either bringing or defending a claim and we would summarise these as follows.

Impact on claims process

- > Funding the claim
- > Producing documents relevant to the claim
- > Getting expert evidence
- > Dealing with offers to settle during the claim
- > The costs involved in a claim
- > Strict timetable that is to be followed during a claim

Impact on claims payments

- > Defendant Insurers should pay out less
- > Claimants should receive more
- > Claimants' Solicitors should receive less

Our Claims Team

Call our claims team on 0844 561 6075 and find out how our experts can guide you through the claims process.

T: 0844 561 6075

What should you consider?

Pre Claim

- Have a proactive culture of accident reporting
- Ensure robust internal investigation procedures are in place
- Retain accurate and complete documentation as evidence
- Referral to broker's risk management services to help implement practical solutions

Upon Receipt of Claim

- Swift notification of claim to broker buys time and facilitates decision making
- Discuss with broker ways of limiting claim

Post Claim

- Failure to report in time will be costly
- Forward all evidence including documentation /photos/reports/description of injury
- Actively assist insurers with their investigations

Concluding the Claim

- Decision making: unrealistic approach will cost money
- Be realistic and dispassionate
- Empower insurers to make decisions
- Consider carefully all settlement offers
- Challenge only the very exceptional cases