



11 January 2018

Rhiannon Hollis
Committee Clerk
Justice Select Committee
House of Commons
London
SW1A 0AA

Dear Ms Hollis

Small claims limit for personal injury inquiry

I write further to the written evidence submitted by the Association of Personal Injury Lawyers (APIL) to the House of Commons Justice Select Committee's inquiry on the small claims limit for personal injury.

Since the submission of our evidence, and as a result of a freedom of information request, APIL has received from the Government's Compensation Recovery Unit (CRU) new figures relating to the number of whiplash and whiplash-related personal injury claims registered with the CRU.

During discussions on the Government's proposals, much has been made of a supposed increase in the number of combined neck, back and whiplash injury claims, an argument which has been used to justify the need for the reforms. Latest figures from the CRU reveal, however, that even if all the whiplash-related injuries, including injuries to the neck and back, are combined, there has been a decrease in the number of claims. According to the CRU, there were 670,186 claims in 2016/17, compared to 678,075 in 2015/16. These claims have continued to fall since 2012/13, with a 10 per cent decrease overall since this time.

Volume of neck, back and whiplash claims registered by the CRU

2016/17: 670,186

2015/16: 678,075

2014/15: 687,183

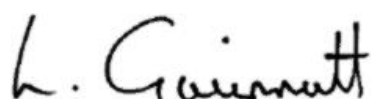
2013/14: 700,764

2012/13: 747,540

As we said in our written evidence to the committee, the Government's stated aim in its original consultation on the reforms was 'to crack down on minor, exaggerated and fraudulent soft tissue injury ('whiplash') claims'¹. With the Government's own figures confirming that the number of neck, back and whiplash claims are continuing to fall, an increase in the small claims limit is not needed to address a problem which does not exist.

Figures from the CRU do show, however, that there has been an increase in the number of "other" motor claims. In 2015/16 there were 91,354 "other" motor claims, with 108,633 "other" claims in 2016/17. There is the potential, therefore, that more of these "other" claims could come under the proposed small claims limit, and the reforms could affect more people who do not have whiplash injuries and fewer people who do. This was not the Government's stated aim.

Yours sincerely



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¹ *Reforming the Soft Tissue Injury ('whiplash') Claims Process*, Ministry of Justice consultation, November 2016, foreword