

*Issued: 05 January 2017*

### **Consumers speak out against Government's so-called 'whiplash reforms'**

The British public has been speaking out against Government plans that will restrict access to justice for almost a million people injured at work and on the roads every year.

The 'Feeding Fat Cats' campaign – launched with the support of the Shadow Justice and Shadow Health teams by Thompsons Solicitors in December - is gaining momentum as the public demand that their right to funding for legal representation is not sold off to line the pockets of big business interests in the insurance industry.

Under the Government's proposed reforms, funding for access to independent lawyers acting on behalf of the injured person would be removed leaving individuals to fight their case for damages without expert help against insurance companies and their legal teams.

A recent survey conducted by Censuswide found that only 10% of people would trust insurance companies to offer a fair amount of compensation to injured people.

Tom Jones, Head of Policy at Thompsons said: "The Ministry of Justice's proposals will tip the scales of justice entirely in favour of the privileged few at the top of the insurance industry pricing millions of injured people out of access to independent legal representation.

"The Government is dressing the proposals up as a counter to a so-called whiplash epidemic but in fact, it's not just road traffic collision victims who are affected, it will also impact on workers who are injured through no fault of their own.

"The facts are these: whiplash claims have been falling for the last five years and when insurance companies say they need an increase in the small claims limit to tackle the issue they know it's not true. Workers' injury claims have also been falling and given there's no suggestion of fraud impacting workplace cases, they're being added in Liz Truss' plans to satisfy insurance company demands for yet more profit.

"The reforms must be stopped. Using whiplash as a fig leaf to increase profits for already profitable big business that is delivering £multi million packages to its chief executives is a cynical con. There is no objective political or moral justification for these major changes that massively favour one party – the insurers- in what is already an unequal battle."

The Ministry of Justice's reforms are expected to impact on almost a million injured people each year. People like Jan Wasik and Gavin Turner, who share their stories below.

### **Jan Wasik, 58-year-old bakery supervisor from Manchester**

Jan was approaching a junction on the M60 when another car heading off the motorway came sharply off the slip road and back onto the motorway. Jan swerved to avoid impact, but in doing so lost control of his car, which ended up skidding over the hard shoulder and onto a grassy verge.

Although he initially returned to work, pain quickly developed in his neck and shoulder, restricting his upper body movement. He has had to rely on painkillers to reduce the discomfort and suffers from anxiety whenever he is driving on busy roads.

“People shouldn’t have to go it alone when they’ve suffered an injury,” said Jan. “I’m a working man with bills to pay, so there’s no chance that I would have been able to afford to start a claim let alone run it around my job without the backing of a professional solicitor.

“While the physical pain isn’t as bad as it once was, the psychological aspect of the accident has remained. I still don’t feel as confident as I once was on the roads.

“I think it’s incredible that the government think it’s OK to take away legal support from people who have been injured through no fault of their own, and who need help to get back what they have lost and what the court thinks is fair for what I went through.”

### **Gavin Turner, 47-year-old school technician from Birmingham**

Gavin was knocked off his bicycle by a car on a roundabout on his way to work in Birmingham. He suffered multiple lacerations, grazing and bruising and the he needed a month off work before making a phased return. His bike was also irreparably damaged in the accident.

Commenting on his injury and the proposed cuts from the government, Gavin said: “I was knocked off my bike more than a year ago yet I’m still suffering pain from it now. My settlement was no ‘quick win’ – without it I would not have been able to pay bills when I was out of work and would have had to cover the costs of prescriptions myself.

“My accident could have happened to anyone and the support of an independent lawyer was essential. Without them, I wouldn’t have had a clue what to do or where to go to recover the money I had lost or what I could get in compensation for what I went through. I can’t believe that the government is considering taking this fundamental right of access to free legal advice away; it will only make cyclists more vulnerable and it will be harder to encourage people to get on their bikes if they can’t be sure of support in the event of an accident.

“I sincerely hope the government see’s sense and does away with its plans.”

**ENDS**

**Notes to editors:**

- The Ministry of Justice has announced a consultation on whiplash reforms 17.11.16.
- The government said there is a 'fraud and claims culture in motor insurance' - but it has produced no independent evidence to support this.
- Industry data shows the net cost of claims incurred in the UK decreasing 30% from £8.302bn in 2010 to £5.796bn in 2015.
- Over the same period, revenue from net written premiums fell by only 6.3% from £8.344bn to £7.816bn.