

Issued: 17 February 2017

Government's so-called 'whiplash reforms' will restrict access to justice for almost a million consumers

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.

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.

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 Dale Phillips and Jemma Knight, who share their stories below.

Dale Phillips, 34-year-old HGV driver from Chesterfield

Thompsons Solicitors helped secure more than £3,000 for Dale following an accident while he was driving a HGV.

"I had just left my employer's depot and was driving down Whitting Valley Road when a car turned straight into me," said Dale. "I had no time to brace for impact – my whole body shunted forward and my knee went straight into the dashboard."

Dale suffered a whiplash injury to his neck and back, as well as an injury to his knee. Nearly a year after the accident he still suffers from pain in his neck, requiring regular physiotherapy to ease the pain.

Commenting on the government's proposed changes to the small claims limit, he added: "As I was driving a company vehicle I wasn't really sure where I stood, but Thompsons Solicitors were able to clear up any confusion, leaving me to focus on dealing with the pain in my neck and back. I simply couldn't have done that on my own.

"£3,000 isn't a 'small' amount for me, despite what the government says. Without it I would not have been able to pay for treatment that has allowed me to keep working and pay my bills. I just wish my health could return to how it was before the accident."

Jemma Knight, 35-year-old teacher from Telford

Jemma was approaching a roundabout travelling from Birmingham to Telford when the car in front of her braked sharply to which she reacted and the vehicle behind crashed into her.

Following the accident Jemma developed pain in her neck and shoulders, which was diagnosed as being due to a whiplash injury. She had to rely on painkillers for several weeks and was initially nervous returning to the roads. Thompsons Solicitors assisted Jemma with her claim.

She said: "The idea that there is no such thing as whiplash is a joke. I didn't make up the pain. Thankfully I had the support of Thompsons and the insurers for the other driver accepted that my injuries were real. There was no way that I would have understood the legal procedure or run the claim on my own – I wouldn't have been confident dealing with all of the complexities of personal injury law. I just don't know how the government think that working people are going to have the time or the knowledge to run cases like this on their own.

"I'd just bought a new car, and it ended up needing a lot of repairs. Thompsons' help meant that I could pay for them but it beggars belief that the government think it's OK take this help away and leave people like me, who didn't chose to get hurt, having to pay for a lawyer out of money that was for repairs and other losses I had, as well as the pain and suffering I went through."

ENDS