

# Transport Committee

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## From Mrs Louise Ellman MP, Chair

Rt Hon Chris Grayling MP  
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29 October 2013

We were interested to receive your Command Paper on reducing the number and costs of whiplash claims. It was particularly gratifying to see that the Committee's principal recommendations, in relation to the accreditation of medical professional providing reports on whiplash injuries and the procedure for dealing with whiplash claims in court, were accepted.

However, we were disappointed that the recommendations in our report did not receive specific responses. In fact, several were ignored completely. In other cases, little detail was provided about how the Government would be taking things forward.

Consequently, we would be grateful if you could provide us with a response to the following recommendations:

- Government should provide a breakdown of claims for non-whiplash injuries since 2008-09 and explain trend for increasing number of claims of this sort, as whiplash claims decrease (Annex D, para 2).
- Whether you wish to mandate for general use the standard medical report form already used for portal claims or a new form; and if a new form is necessary, why that is so (Annex D, para 9).
- Government should consult on ways of requiring whiplash claimants to provide more information in support of a claim, such as proof they saw medical practitioner shortly after an accident or evidence of the impact of the injury (Annex D, para 12)
- Government should analyse impact of the electronic portal on claims management and costs before reconsidering whether to increase threshold for whiplash claims to be dealt with using small claims track; and consider ways in which small claims track could be combined with routine submission of expert evidence (Annex D, paras 16 and 17).

- MoJ should give its view on issues involved in limiting the right to compensation where it can be shown that a claim is grossly exaggerated (Annex D, para 19).
- Government should explain how it will monitor whether or not insurers will honour their commitment to ensure that any cost reductions resulting from proposed legal reforms are passed through to consumers in form of lower premiums (Annex D, para 24).
- Government should take a more strategic approach to tackling the cost of motor premiums, bringing together action by the MoJ, DoH and DfT as well as implementation of any future Competition Commission recommendations (Annex D, para 25).

In addition, we would be grateful for more detailed information on the following issues:

- How will DfT and the police improve information sharing about accidents so that highways authorities better target spending on improving road safety (Command Paper, para 49)?
- Does the Government agree that medical practitioners compiling reports on whiplash injuries should have access to details about the accident and the claimant's medical record (Annex D, para 8)?
- Does the Government agree that there may be scope for regulatory bodies such as the GMC to have a role in auditing reports relating to whiplash claims and handling complaints (Annex D, para 10)?
- What action will the Government take to establish collaborative arrangements between insurers and solicitors aimed at identifying and deterring potentially fraudulent claims (Command Paper, paras 22, 25-27, 29)?
- What work is being undertaken to explore how a rule could be introduced to ban pre-med offers by insurers (Command Paper, para 24)?
- What work is being undertaken by Government to improve the transparency of the motor insurance sector (Command Paper, para 30)?

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