



Louise Ellman MP  
Chair - Transport Committee  
House of Commons  
London  
SW1A 0AA

23 February 2017

Dear Louise

**REFORMING THE SOFT TISSUE INJURY (WHIPLASH) CLAIMS PROCESS: A  
CONSULTATION ON ARRANGEMENTS CONCERNING PERSONAL INJURY CLAIMS IN  
ENGLAND AND WALES - A GOVERNMENT RESPONSE**

I am writing to inform you of the publication today of the first part of the Government response to the 'Reforming the soft tissue injury ('whiplash') claims process' consultation, as I know the Transport Committee has taken an interest in this topic in the past.

The consultation closed on 6 January and following analysis of the many responses the Government has decided to take forward the following reforms:

1. the introduction of a tariff of fixed compensation for pain, suffering and loss of amenity for claims with an injury duration of between 0 and 24 months;
2. providing the judiciary with the facility to both decrease the amount awarded under the tariff in cases where there may be contributory negligence or to increase the award (with increases capped at no more than 20%) in exceptional circumstances;
3. introducing a ban on both the offering and requesting of offers to settle claims without medical evidence;
4. increasing the small claims limit for RTA related personal injury claims to £5,000; and
5. increasing the small claims limit for all other types of personal injury claim to £2,000.

Items 1 to 3 will be given effect through clauses in the Prisons and Courts Reform Bill, which is being introduced to Parliament today. Items 4 and 5 will be brought forward through secondary legislative procedures, and it is the Government's intention to implement these reforms as a package once the Prisons and Courts Bill has completed its Parliamentary passage.

Further copies of the government response and other related documents can be accessed at:  
<https://consult.justice.gov.uk/digital-communications/reforming-soft-tissue-injury-claims>

As noted above, today's publication is the first part of the Government's response to the recent consultation. Part two will be published in due course and will cover the 'implementing recommendations from the Insurance Fraud Taskforce' and 'call for evidence' sections of the consultation.

The Government is committed to removing the burden of excessive costs on consumers, and believes that these reforms will reduce legal costs and generate significant savings. The Government fully expects insurers to pass on the savings from these reforms to consumers through lower premiums, and we will be monitoring the industry's reaction to these reforms. The Government will consider further action to make sure the savings are passed on if such action is required.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'L. Keen', written in a cursive style.

**LORD KEEN OF ELIE QC**