



Informing Progress - Shaping the Future

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Whiplash reform and the Official Injury Claim Service

A House of Commons Committee report has raised concerns with the government in relation to apparent problems with whiplash reforms and the Official Injury Claim Service (OIC).

The report notes that in recent years, the government has implemented major reforms in respect of personal injury compensation for whiplash with the objective of reducing the number and cost of claims. As part of this, since 2021 OIC, has been in operation to support individuals who have suffered minor injuries arising from a road traffic accident to claim compensation, without the need for legal help.

Despite this, around 90% of portal users are currently legally represented. This interim report calls on the Ministry of Justice (MoJ) and the portal's operator, the Motor Insurers' Bureau (MIB), to conduct research to better understand this, and whether steps to improve awareness of the OIC portal and user-confidence in the system would encourage more litigants in person. It also highlights concern that professional users have had difficulties in integrating their systems with the portal, and calls on the MoJ to set out what steps it is taking in conjunction with the MIB to address these concerns.

The report also notes a growing number of unresolved cases in the portal, which now stands at 349,000, and for those cases which do reach settlement, the average time taken to do so is 251 days, and is predicted to increase further. It is recommended that the MoJ investigates the reasons for the growing number of unresolved cases and the deterioration in the timeliness of reaching settlement, and publishes its findings by the end of the year.

The government had estimated that its reforms would lead to a reduction in motor insurance premiums by approximately £35 per policy. However, the report comments that it is difficult to determine at this point whether these savings have been realised because of upward cost pressures arising from, for example, cost of living increases and the effects of the pandemic. Accordingly, it is recommended that the government is as transparent as possible in undertaking its statutory assessment of the effects of the reforms on policyholders, including by publication of the submissions made by insurers.

The Committee will return to these issues as well as other aspects of the whiplash reform programme in 2024, once the Supreme Court has given its verdict in the case of *Hassam v Rabot* which concerns the treatment of mixed injury cases, where whiplash injuries are sustained alongside non-whiplash injuries.

The full report may be found by following this link: [Download the Full Report \[PDF 315KB\]](#)

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