



Ministry of Justice Consultation:

**Changes to the Qualified One-Way Costs Shifting (QOCS) regime
in personal injury cases**

Response from the Motor Accident Solicitors Society

June 2022

This response is prepared on behalf of the Motor Accident Solicitors Society (MASS) and submitted by the Chairman, Susan Brown.

MASS is a Society of solicitors acting for the victims of motor accidents, including those involving personal injury (PI). MASS has over 70 solicitor firm Members, representing approximately 2000 claims handlers. We estimate that member firms conduct in the region of 400,000 PI motor accident claims annually on behalf of the victims of those accidents. The Society's membership is spread throughout the United Kingdom.

The objective of the Society is to promote the best interests of the motor accident victim. This is central, and core to our activity. We seek to promote only those policy and other objectives which are consistent with the best interests of the accident victim. We seek to set aside any self interest in promoting these arguments, recognising that we are in a position of trust, and best placed to observe the best interests of motor accident PI victims first hand. We are a not for profit organisation, which requires specialism in motor accident claimant work as a pre-requisite for membership. We also have a Code of Conduct which member firms are required to abide by, which is directed to the best interests of the motor accident victim.

Contact:

If you have any queries or would like further information, please contact at first instance - Jane Loney at:

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Questions

(i) Do you have views on the Government's position on set-off, as outlined above?

MASS is of the view that the set-off should not be applied.

(ii) Do you have views on the Government's position on extending costs orders to deemed orders, as outlined above?

MASS is of the view that costs orders should not be extended to deemed orders.

(iii) Do you have any comments on the draft revisions to Section II of Part 44 that are proposed at Annex A?

MASS has no comments to make in relation to the draft version, given our responses to (i) and (ii) above.

(iv) Do you have views on other ways in which QOCS might be reformed, to ensure that there is an appropriate balance between the interests of claimants and defendants in PI cases?

MASS has no further observations to make.