## Sue Brown

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# Stability in the Personal Injury Sector

**After years of dramatic change, the personal injury sector needs a period of stability. The changes that have been implemented need to settle before further new procedures are dropped onto the system.**

The OIC has had a big impact on the RTA market, and many law firms are probably still trying to work out whether they can continue to operate at such a low-value level of the market. Enter the FRC reforms for claims up to £100,000, now scheduled to come into force in October. We have been promised sufficient time to understand and implement these changes, but many businesses will not have time to prepare.

As with the whiplash fixed cost tariff, ministers have once again refused to commit to a regular review of FRCs, despite the impact of inflation. Unlike insurers, lawyers cannot simply raise prices, and they are already working within costs regimes that were fixed a decade ago.

The steady erosion of the PI legal sector reduces choice and availability of independent and professional legal advice for claimants, putting access to justice at risk. Claims management companies have not been visibly active in small claims track RTA, but if those without legal expenses cannot find a solicitor to act for them in this type of claim, there remains scope for them to enter the market in future.

In a deliberately light-touch regulatory system - already lacking the most basic checks - fewer lawyers will mean even fewer fraud checks. AskCUE PI, for which MASS fought a long battle, seems to have fallen through the cracks, not being mandatory in the OIC. Insurers are starting to raise the issue of fraud in OIC claims, and we need to work together to address these concerns within the current system, rather than looking relocate the boundaries and goal posts.