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Motor Insurance Reform: A System That Prioritises Efficiency Over Justice

At best, the Motor Insurance Taskforce's final report was greeted with faint praise. For those hoping for a genuinely fundamental review of motor insurance cost drivers and robust recommendations to deliver better value for consumers, it falls short.

This contrasts sharply with commitments made during the last general election, when motor insurance affordability was framed as a regulatory failure requiring urgent intervention. Against that backdrop, the Taskforce's conclusions appear cautious, offering reassurance to the status quo rather than challenging it.

The Taskforce was dominated by insurer and industry voices, with claimant organisations possessing specialist legal expertise excluded. Responsibility for personal injury claims was, once again, deferred to the Ministry of Justice. The Financial Conduct Authority's involvement similarly reflects a continued prioritisation of market dynamics over the lived experience of motor accident victims, raising questions about the balance between industry regulation and consumer protection.

Attention now turns to the Ministry of Justice's post-implementation review of the whiplash reforms and the Civil Liability Act. The tariff-based damages regime marked a significant departure from the common law's emphasis on individualised justice and proportionality. By reducing whiplash injuries to fixed monetary bands, the law traded fairness for certainty. Injury has been commodified and justice standardised.

Meanwhile, the promised consumer dividend has failed to materialise. The projected £1.2 billion annual saving from reduced claims costs has not delivered sustained premium reductions, exposing the flaw in the assumption that personal injury reform alone could control motor insurance pricing.

The Ministry of Justice's indication that tariff levels will not be meaningfully revisited beyond the minimal uplift earlier this year is therefore disappointing. Process improvements to OIC governance and transparency may help at the margins, but they do not address the deeper problem. A civil justice system that prioritises efficiency over equitable redress risks undermining its own legitimacy, leaving the claims process as a cautionary tale of justice rationed in the name of reform.

