



MINISTRY OF JUSTICE CLAIMS PORTAL

Lycetts

Insurance Brokers
and Financial Services

CURRENT SITUATION AND CLAIM LIMITS

The Ministry of Justice (MoJ) Claims Portal handles low-value personal injury claims, including public liability cases, with a claim value between £1,000 and £25,000.

Although discussions have taken place regarding an increase in this limit to £100,000, no definitive changes have been implemented.

OVERVIEW OF THE MOJ CLAIMS PORTAL (PUBLIC LIABILITY CLAIMS)

Launched in 2010, the MoJ Claims Portal is an online platform designed for efficient management of low-value personal injury claims through fixed timelines and costs. Public liability claims (such as injuries occurring in public spaces like shops, pavements, or parks) are processed through the portal under these conditions:

- Incident occurred in England or Wales.
- Claim value between £1,000 and £25,000.
- Liability is likely to be admitted, making the case straightforward.

Personal injury claims must generally be submitted within 3 years from the date of the incident.

IMPACT ON 'NO WIN, NO FEE' SOLICITORS

The popularity of 'No Win, No Fee' agreements, formally known as Conditional Fee Agreements (CFAs), has grown significantly due to:

- **Access to justice:** Legal aid cuts have increased reliance on CFAs, providing injured parties an affordable route to pursue compensation.
- **Predictability:** The portal's fixed costs and clear timelines allow firms to evaluate risks and potential returns accurately.
- **Volume handling:** Some law firms specialise in efficiently processing high volumes of low-value claims, making small-margin cases profitable.
- **Fixed legal costs:** Recoverable costs are limited, but CFAs typically allow solicitors to retain up to 25% of the compensation, ensuring viability.

LIABILITY INCIDENT INFORMATION GATHERING (POLICY HOLDER GUIDANCE)

In the event of an injury occurring on your premises, timely collection and preservation of detailed evidence is critical to effectively defend against potential claims, reduce liability exposure, and mitigate risks of fraudulent or exaggerated claims. Courts prefer evidence recorded at the time, making early documentation vital.

Key information to collect promptly includes:

1 Incident Details

(Accident Report Form)

- Date and time of incident.
- Exact location, including maps if available.
- Detailed description of the incident.
- Clear record of injuries or damage, supported by photos.
- Relevant weather conditions.
- Signature of the injured person, if possible.
- Compliance with RIDDOR reporting requirements for serious incidents.

2 Witness Statements

- Statements from employees and any third-party witnesses.
- Signatures and dates on all statements.
- Comprehensive contextual details (before, during, after the incident).
- Witness contact information.

3 CCTV Footage

- Preserve footage of the incident, including the moments before and after.
- Immediately back up and secure footage to avoid automatic deletion.

4 Photographic Evidence

- Scene photographs (close-ups and wide shots as appropriate).
- Photographs of hazards, safety measures, warning signs, or relevant conditions.
- Photos of injured party's footwear/ clothing if relevant and non-intrusive.

5 Maintenance & Cleaning Records

- Up-to-date cleaning schedules and maintenance logs.
- Inspection records and relevant risk assessments.
- If a risk poses an immediate danger, take necessary action; otherwise, avoid unnecessary alterations post-incident to prevent implied admission of liability.

6 Staff Training Records (relevant to the incident)

- Documentation confirming employee training in health & safety, risk management, and relevant procedures.

7 Insurer Notification

- Immediately inform your broker of the incident and provide all collected information.
- Forward any correspondence received from the claimant or their representatives directly to the claims team without responding.
- Ensure you do not make any settlement offers, promises of payment, or admissions of liability to any person, as this could prejudice your Insurer's ability to defend any claim, and ultimately affect any indemnity offered to you.

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