

Medical Evidence in Whiplash Cases

Andrew Ritchie

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Medical Evidence In Whiplash Cases

Jonathan McGahan



Medical Evidence In Whiplash Cases:

Medical Evidence in Whiplash Cases Andrew Ritchie,1999 This text aims to help legal practitioners to interpret and act on the contents of technical and often complex medical reports It explains the intricacies of the anatomy of the neck and back explores the impact in medical terms of a whiplash injury including associated injuries to the lower back the knees and the shoulder and the possible psychiatric repercussions offers a guide to preparation of the medical evidence in a case specifically obtaining disclosing and managing records and examines the issue of quantum in whiplash claims *Reducing the Number and Costs of Whiplash Claims* Great Britain: Ministry of Justice,2012-12-11 Between 2006 and 2012 the number of reported road traffic accidents RTAs fell by around 20% yet the number of claims for personal injury arising from RTAs rose by 60% Of these some 70% are for whiplash injuries with 2 7 claims for such injuries being made for every accident reported Other European countries have much lower claim rates Germany 47% Spain 32% France 3% The impact on the cost of motor insurance is significant with 90 of the average premium stemming from the cost of whiplash injuries The Government and the insurance industry are committed to action to reduce the cost of motor insurance and to deter fraudulent and exaggerated claims The measures in this consultation paper look to remedy two areas where the current arrangements are imperfect the difficulties in diagnosing the injury and the nature and cost of the court system that can work against insurers challenging suspect claims Diagnosis could be improved through a system of independent medical panels In the courts the proposals look at the small claims track threshold for personal injury claims arising from RTAs which would provide a more cost effective route for straightforward claims and self represented litigants The Government also invites further ideas to address this complex issue *Ministry of Justice: Reducing the Number and Costs of Whiplash Claims: A Government Response to Consultation on Arrangements Concerning Whiplash Injuries in England and Wales: Cost of Motor Insurance - Whiplash: A Government Response to the House of Commons Transport Committee - Cm. 8738* Great Britain: Department for Transport,2013-10-23 Dated October 2013 Response to Consultation paper CP17 2012 Cm 8425 ISBN 9780101842525 the Transport Committee s 4th report HC 117 session 2013 14 ISBN 9780215061423 **House of Commons - Transport Committee: Cost of Motor Insurance: Whiplash - HC 117** Great Britain: Parliament: House of Commons: Transport Committee,2013-07-31 Whiplash injuries can have debilitating consequences for those who suffer them However some of the increase in whiplash claims will have been due to fraud or exaggeration The Government must tighten up the requirements for motor insurance claims and ensure that insurers honour their commitment to reduce premiums The Government should consider requiring claimants to provide proof that they have either been seen by a doctor or attended A E shortly after the accident The MPs also note that their previous recommendation on making the links between insurers and other parties involved with claims more transparent has been ignored The absence of comprehensive statistics about road traffic accidents means that it is impossible to relate the increasing number of personal injury claims in recent years to the

number of accidents Data collection about road accidents needs to be improved help to assist detection of fraudulent personal injury claims and help highways authorities improve road safety by targeting spending on accident black spots The Committee also supports the proposal for an accreditation scheme for medical practitioners who provide medical reports in relation to whiplash claims Access to justice could also be impaired by Government proposals to switch whiplash claims between 1 000 and 5 000 to the small claims court particularly for people who do not feel confident to represent themselves against insurers who will use legal professionals to contest claims Ways in which use of the small claims track could be combined with the routine submission of expert evidence should be considered Blackstone's Statutes on Contract, Tort and Restitution Francis Rose,2022 Blackstone's Statutes on Contract Tort Restitution is edited and designed to help you succeed in your law studies With a reputation for accuracy and authority spanning over 30 years Blackstone's Statutes remain first choice for students and lecturers providing a careful selection of updated legislation needed for exam course use

A Practical Approach to Civil Procedure Stuart Sime,2024 This volume provides a commentary on all the major areas of civil procedure It includes the rules of practice as applied by the courts enabling anyone practising to obtain a thorough grasp of the principles relevant to the course of litigation **HC 285 - Driving Premiums Down: Fraud and the Cost of Motor Insurance** Great Britain: Parliament: House of Commons: Transport Committee,2014-07-04 This report reviews the Government's plans to tackle fraudulent and exaggerated motor insurance claims particularly for whiplash injuries It is the Transport Committee's fourth report on the cost of motor insurance and while premiums are now falling aspects of the market remain dysfunctional and have encouraged criminality to take root Further action is still required to tackle fraud whilst protecting genuine claimants The Government must prohibit insurers from settling whiplash claims before the claimant has undergone a medical examination On issues of court procedure and medical panels the Committee endorses the Government's intention to require courts to strike out dishonest insurance claims e.g those involving gross exaggeration but cautions against hasty legislation due to the complex legal implications The report calls for data sharing about potentially fraudulent claims between insurers and claimant solicitors to be made compulsory rather than voluntary as currently proposed The Government should oversee funding arrangements for the police Insurance Fraud Enforcement Department to make sure that this unit currently funded directly by the insurance industry has a long term future Government proposals for independent medical assessments are welcomed but more work is required on implementation The Government should press the Solicitors Regulation Authority to stop some solicitors from playing the system to maximise their income by commissioning unnecessary psychological evaluations Blackstone's Statutes on Contract, Tort and Restitution 2019-2020 Francis Rose,2019 This 2019 2020 edition has been fully revised and updated to incorporate all relevant legislation for contract and tort law courses Blackstone's Statutes on Contract Tort Restitution is an abridged collection of legislation carefully reviewed and selected by Professor Francis Rose **Blackstone's Statutes on Evidence** Katharine Grevling,2023

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