

# Jackson Reforms

Members' Corner  
10 June 2013



Pinsent Masons

# Overview

- Implemented 1 April 2013
- Biggest change to civil procedure since 1999
- Promotion of access to justice at **proportionate cost**
- **Proportionality** is guiding principle

# Personal Injury

- Extension of fixed costs regime
- Banning of referral fees
- Cap on damages that may be taken as success fees
- Qualified One way Costs Shifting

# Health and Safety

- Review of strict liability
- Clause 62 of **Enterprise and Regulatory Reform Bill 2012-13** – proposed change to **Health and Safety at Work etc. Act 1974**
  - Proposed claimant must prove employer negligence
  - Reverses burden of proof

# Conclusion

- Proportionality
- QOCS
- Strict liability



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