In response to the consultation on fees, especially the rise of the cap for claims between £200,000 and £400,000, our experience has shown that this prevents genuine claimants from issuing claims, as they are unable to afford such astronomical fees.

Our firm has had 2 cases recently where the claimants had no option but to drop cases even at the £10,000 fee level. Usually it is the Claimant who has already lost a lot of money due to the non-payment of the Defendant, and lacks the funds to pay many thousands of pounds in issue fees.

It might make sense to increase fees in line with the complexity of a matter due to their taking up a lot of the court’s time etc, but very often the cases although for large amounts, can sometimes be very simple matters, like non-payment of invoices etc. Conversely there can be claims of £100,000 which are very complex and take up many hearings before being finally resolved.

A possible better option, might be to increase hearing fees as opposed to issue fees

27 July 2015