

Authorised User Update for Solicitors – 26 October 2018

Requirement for MedCo Reports

Dear Users

It has come to our attention that some users believe that MedCo reports are not required if a soft tissue claim falls out of the Pre-Action Protocol for Low Value Personal Injury Claims in Road Traffic Accidents (RTA PAP).

We would remind users that **all soft tissue claims started under the RTA PAP, require a MedCo report** regardless of whether the claim stays in or falls out of the RTA PAP (the Claims Portal).

Authorised Users are required under paragraph 3.2.1(b) of the User Agreement to use the MedCo database to source an expert for all medico-legal reports where required to do so under the Civil Procedure Rules, i.e. in every claim that falls within the definition in paragraph 1.1(16A) of the RTA PAP.

We refer users in particular to Civil Procedure Rules, Practice Direction 35 para 2.6:

- (1) In a soft tissue injury claim, where permission is given for a fixed cost medical report, the first report must be obtained from an accredited medical expert selected via the MedCo Portal (www.medco.org.uk).
- and
- (3) 'Accredited medical expert', 'fixed cost medical report', 'MedCo', 'soft tissue injury claim' have the same meaning as in paragraph 1.1(A1), (10A), (12A) and (16A), respectively, of the RTA Protocol.

Authorised Users are also reminded that the MedCo reference must be provided in the Stage 2 settlement pack in soft tissue injury claims pursued in the Claims Portal.

For support and information contact enquiries@medco.org.uk