

**CONSULTATION ON ISSUES ARISING FROM THE CIVIL PROCEDURE RULE
COMMITTEE CONSIDERATION OF THE IMPLEMENTATION OF FIXED RECOVERABLE
COSTS IN CIVIL CASES**

Overview and Background

On 6 September 2021, the Government published its consultation response on extending fixed recoverable costs (FRC) to all civil cases in the fast track (i.e. generally those up to £25,000 in damages), and to simpler ‘intermediate’ cases (up to £100,000 in damages). This follows the 2019 consultation paper, *Extending Fixed Recoverable Costs in Civil Cases: Implementing Sir Rupert Jackson’s Proposals*, which was based on Sir Rupert’s 2017 report on FRC. Further information about FRC and the consultation response can be found at: <https://consult.justice.gov.uk/digital-communications/fixed-recoverable-costs-consultation/>.

Since publication, the Government has been working with the Civil Procedure Rule Committee (CPRC) on the draft rules to ensure the smooth delivery of these reforms. Over the course of this work issues have emerged on (i) ensuring appropriate provisions for vulnerable parties and witnesses and (ii) a reconsideration of the rules around Qualified One-way Costs Shifting (QOCS) following the Supreme Court judgement in *Ho v Adekun* [2021] UKSC 43.

This Consultation

We now invite views solely on the proposals and rule changes outlined in the two papers addressing the above issues. Any other issues relating to FRC more generally will not be considered as part of this consultation.

How to respond

Please send any responses (in Word or PDF form) to the following email address with the words ‘CPRC costs consultation’ in the subject line of your email: FRCconsultation@justice.gov.uk

Deadline for responses

The deadline for responses is 20 June 2022.

Questions

If you have any questions regarding this consultation, please use the email address above or email the general enquiries inbox at CPRC@justice.gov.uk

Next Steps

Over the coming months, the Government will continue working with the CPRC on the details of the rules with a view to securing CPRC agreement by the end of 2022, for implementation in April 2023.

Data

Data will be handled in line with the CPRC Personal Data Privacy Notice found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/707892/cprc-privacy-notice-may-2018.pdf

Ministry of Justice
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