

# MoneySavingExpert.com

## Ministry of Justice consultation on including claimant data on the Register of Judgments, Orders and Fines

MoneySavingExpert.com is pleased to submit a brief response to this consultation.

**Q1: Do you agree that the names of claimants of County Court and High Court money judgments should be included on the Register of Judgments Orders and Fines in England and Wales?**

**a) If not, what are your reasons?**

**Q2: Do you agree that the proposal would have the benefits that are set out in this paper at paragraph 18 a and b?**

We agree that giving consumers access to information about their claimants as part of the register would benefit many – in particular, by making it quicker for consumers to find information about the claimant, which in turn could help them to respond to judgments more quickly.

Changing the current process – in which the consumer has to take a number of steps to identify the claimant (if not already known) – to a simple search of the register would enable swift action on the part of the consumer to resolve the judgment.

We also agree that providing the name of the claimant could inform the work of other organisations, such as regulators, policy makers, debt services or consumer advocates. For example, this change would make it possible to spot trends in the types of debt being taken on, to monitor claimants who are suspected of bad practices, or to track any potentially concerning patterns as early as possible. This has the additional benefit of improving accountability and transparency across the board.

**Q3: Do you have any concerns that the publication of this data poses any disadvantages and/or risks to either the claimant or the defendant? Yes/No 9 Section 73(15) of the Road Traffic Act 1991 10 Paragraph 7 of Schedule 6 to that Act 11**

**a) If so, what are the disadvantages and/or risks?**

**b) What steps do you think could be taken to mitigate these concerns?**

We believe there may be some risks related to this additional transparency – and the Ministry of Justice should take care to limit their impact. Notably, this change could potentially increase contact from scammers to those named on the register, with additional information about claimants being used to make fraudulent interactions more specific and credible.

In addition, the MOJ should be mindful of those who may not want this information shared publicly – we would ask for consideration of an opt-out mechanism (or something similar) to be used in these cases, so that claimants' information may be removed from the record.

**Q4. Do you agree that the data to be published about claimants should be limited to the name of the creditor listed on court claim form (as set out at paragraphs 20, 21, 22 and 23)?**

**a) If not, please set out what further data about the claimant you think it would be helpful to publish on the Register and explain why?**

While we understand the rationale for including just the name of creditor – as the party to whom the money is owed – some consumers may still find it difficult to identify who they owe/owed money to. This can be particularly troubling for those who, for example, suffer with mental health challenges, or who are dealing with heightened stress due to the situation.

As such, it would be most helpful for consumers to have information published on who the original debt was with, if the debt has been passed on to a third-party company. It would also help to consider that one firm may have many trading names or brands – so the MOJ should also consider including all other known company names.

Publishing this additional information about the creditor would ensure the aims of the proposal are met in the most effective way – giving consumers access to information that is helpful to them and could aid them to resolve the judgement quickly, and providing further insight to regulators/researchers in this area.

### **About MoneySavingExpert.com (MSE)**

MoneySavingExpert (MSE) MoneySavingExpert.com, founded and Chaired by Martin Lewis, is dedicated to cutting consumers' bills and fighting their corner. It is the UK's biggest and most trusted consumer website. For 20 years, campaigning journalism has been at the heart of MSE's mission. The site is behind many notable campaigns, including student finance reform, reducing energy bills, mortgage help, scam ads regulation and helping consumers reclaim an estimated £1bn in bank charges and £12bn in PPI payouts.

With millions subscribing to receive the weekly MSE's Money Tips email and visiting the site monthly, MSE ranks as YouGov's most recommended brand (all sectors) in the UK. It is also, according to Press Gazette, the UK's largest specialist online news publication, with more traffic than many national newspaper sites. In September 2012, the site joined the MoneySupermarket.com Group PLC