



# Claim farming reform: 12 months on

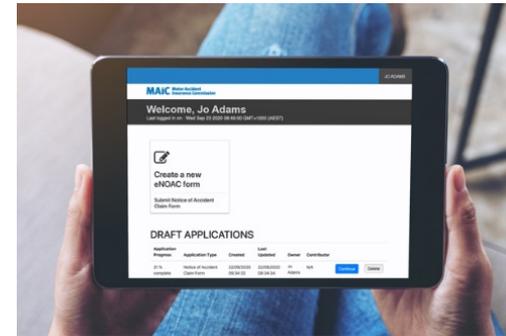
Australian Lawyers Alliance Queensland Conference 2021

David Vincent  
February 12, 2021



# Overview

- Claim farming investigations
- Law practice certificates
- Digital claims initiative



# Claim farming investigations



# Public awareness activities

- Key message: Car crash scamming is a crime. Hang up and report. Visit [maic.qld.gov.au/hangup](https://maic.qld.gov.au/hangup) or call 1800 CTP QLD (1800 287 753).
- Phase 2 advertising campaign delivered February 2020 and ongoing communication continues to keep the issue top-of-mind.
- Channels:
  - emails
  - newspaper ads
  - radio ads and coverage (ABC Radio, 4EB Community Radio)
  - social media
  - MAIC website
  - QLS update
  - Flyers in 1.5 million rego renewals (Feb-July)
  - Message included in our rego renewal notice (ongoing)



# Car crash scammer reports

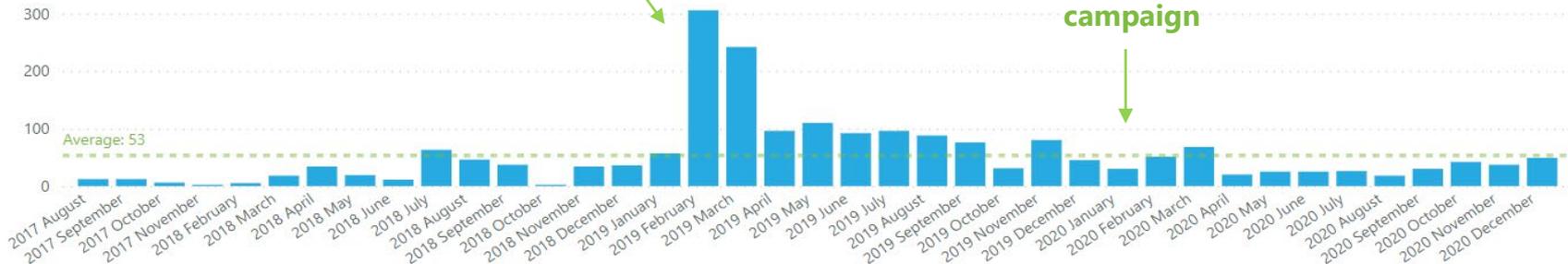
Car crash scammer reports received

2076

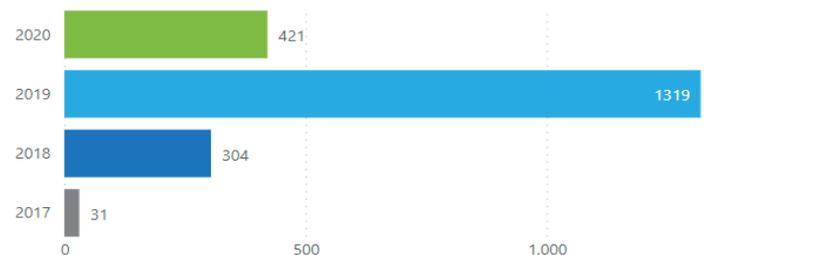
Added recent month

49

Report frequency

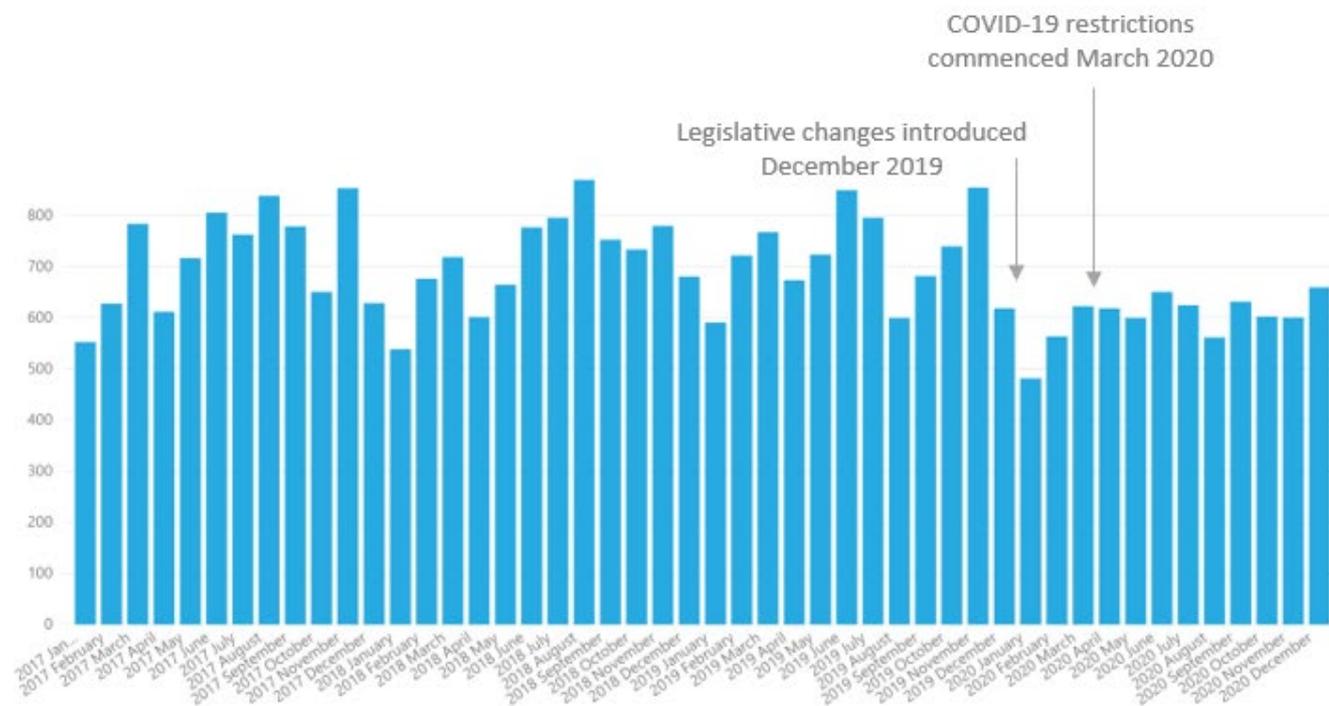


Report frequency by period



Reports received between 3 August 2017 and 31 December 2020

# Claim statistics – claims added

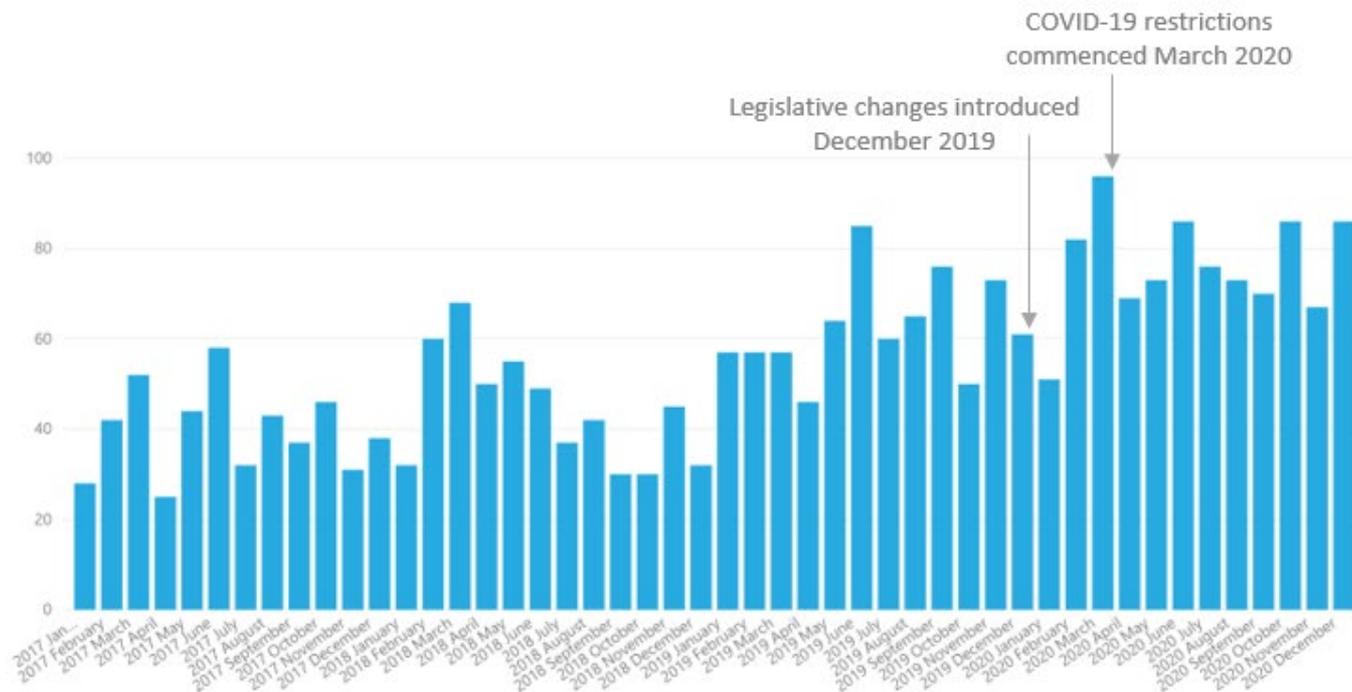


Claims added per month. Data to 31 December 2020

**719** Pre-reform  
Average new claims added to the scheme per month

**602** Post-reform  
Average new claims added to the scheme per month

# Claim statistics – discontinued/lapsed



The number of discontinued (withdrawn) or lapsed (closed due to inactivity) claims has trended upwards post-reform.

Discontinued or lapsed claims finalised per month. Data to 31 December 2020

# Claim farming investigations – status

80

investigations  
recorded since  
inception

29

referred to external  
investigators

8

please explain letters  
sent

7

please explain letter  
responses received

16

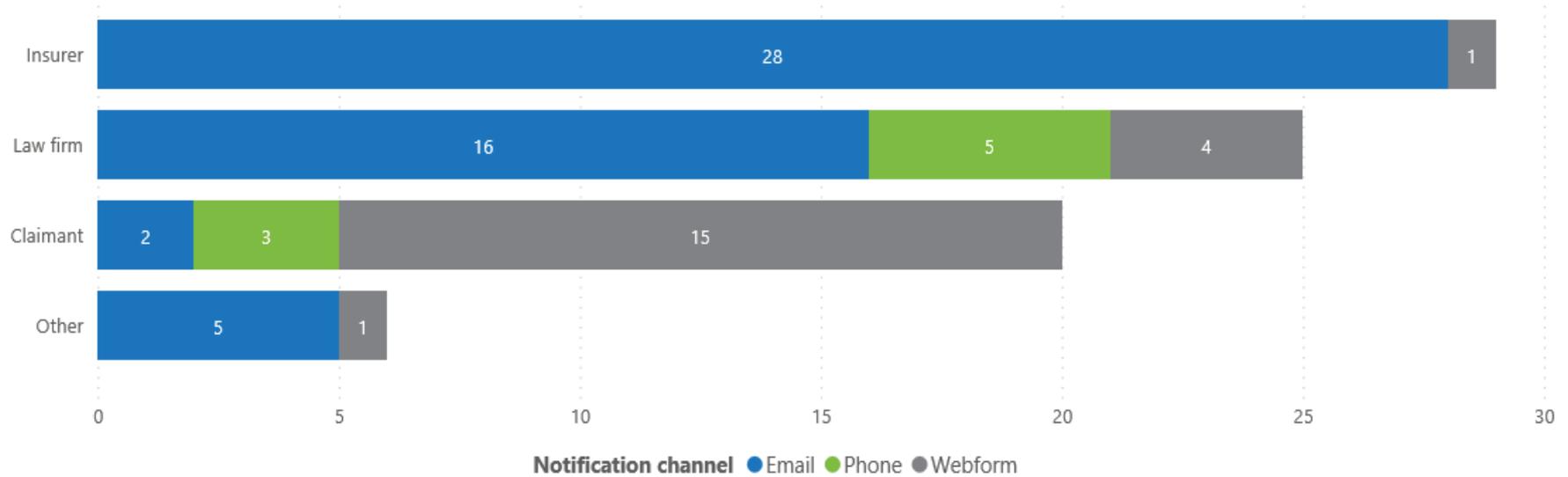
notifications last  
quarter

Number of Investigations by Status

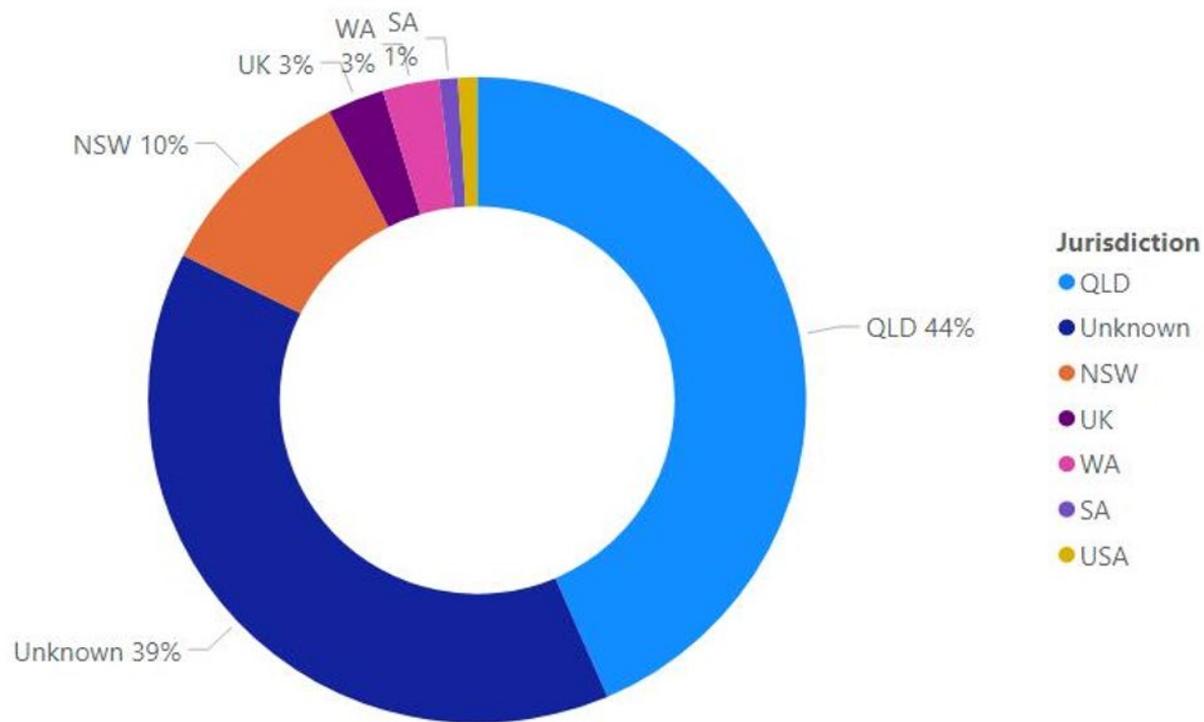


Data to 31 December 2020

# Number of investigations by notifier type and notification channel



# Entities of interest by jurisdiction



# Law practice certificates



## Law Practice Certificate

Pursuant to Part 4 Division 2A of the Motor Accident Insurance Act 1994  
Statutory Declaration made pursuant to the Oaths Act 1867

1. [ ] of [ ]  
in the State or Territory of [ ], do solemnly and sincerely declare that:
1. I am a solicitor of the Supreme Court of [ ], in the Commonwealth of Australia.  
Please check the box which applies to this claim:
- 2A. I am the supervising principal of [ ] ("the law practice"); OR  
 2B. I am authorised under section 36C of the Motor Accident Insurance Act 1994 ("the Act") to sign this certificate on behalf of [ ] ("the law practice").
3. The law practice acts for [ ] ("the claimant") in respect of a claim for damages for injury arising from a motor vehicle accident which occurred on [ ] / [ ] / [ ] ("the claim").
4. I have full knowledge of the matters the subject of this declaration which relates to conduct engaged in on, or after, 5 December 2019.
5. The supervising principal and each associate of the law practice have not given or received, agreed to give or receive, or allowed or caused someone else to give or receive consideration to another person for the referral or potential referral of this claim in contravention of section 74 of the Act. If section 74 of the Act does not apply, provide the reason why it does not apply:  
[ ]
6. The principal and each associate of the law practice have not personally approached or contacted the claimant and solicited or induced the claimant to make this claim in contravention of section 75 of the Act. If section 75 of the Act does not apply, provide the reason why it does not apply:  
[ ]
7. If this claim is a speculative personal injury claim, the costs agreement related to this claim complies with section 79 of the Act or section 347 of the Legal Profession Act 2007.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1867.

Declarant signature [ ] Date [ ] / [ ] / [ ]  
[ ]

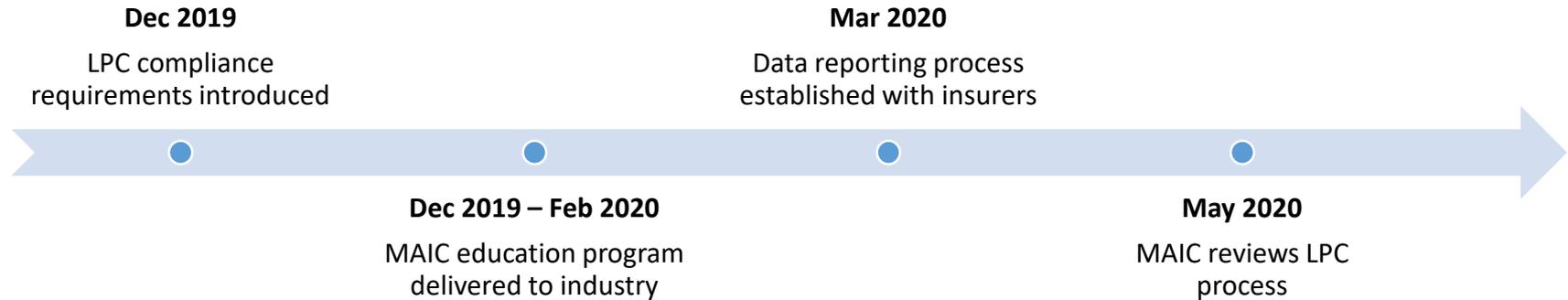
Taken and declared before me – Justice of the Peace (JP)/Commissioner for Declarations (C. Dec)/lawyer

Signature [ ] Place [ ] Date [ ] / [ ] / [ ]  
[ ]

Surname/family name of JP/C. Dec./lawyer [ ] Given name/s of JP/C. Dec./lawyer [ ]

Qualification of witness (JP/C. Dec./lawyer) [ ] Seal of office (if applicable) [ ]

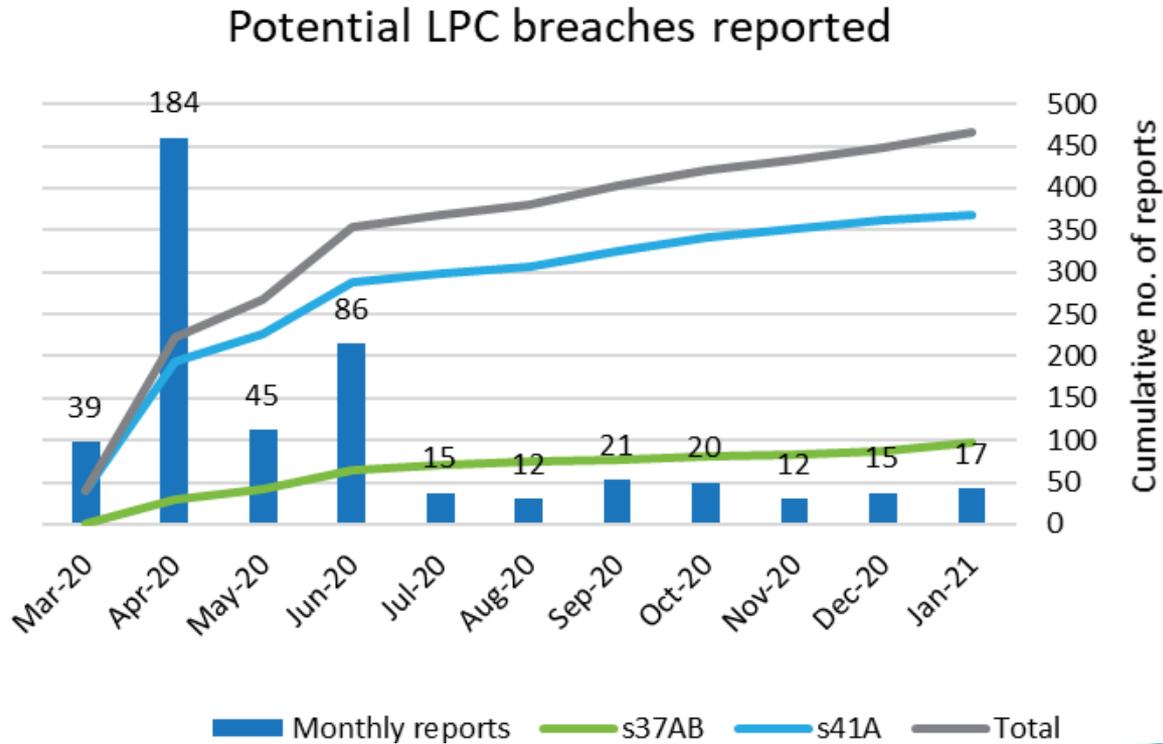
# Law practice certificates – implementation



The changes to the legislation were designed to ensure that lawyers who represent injured people in Queensland's CTP scheme will be required to certify at various stages of the claim process that neither they, nor their associates, have paid a claim farmer for the injured person's claim.

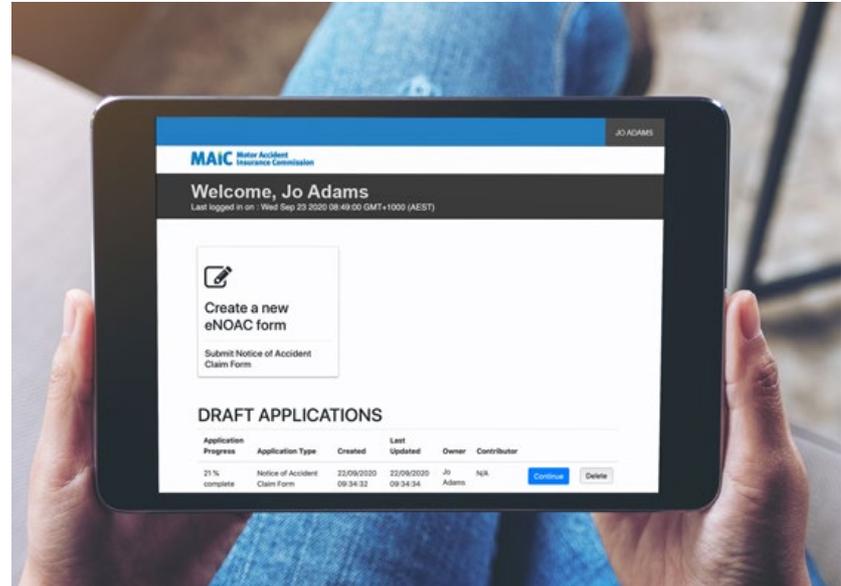
Failure to provide the requisite certificate, or making a false statutory declaration, may attract significant penalties. In addition to the penalties, law practices may need to refund, or may not be entitled to recover, fees and disbursements paid in connection with a claim.

# Law practice certificates

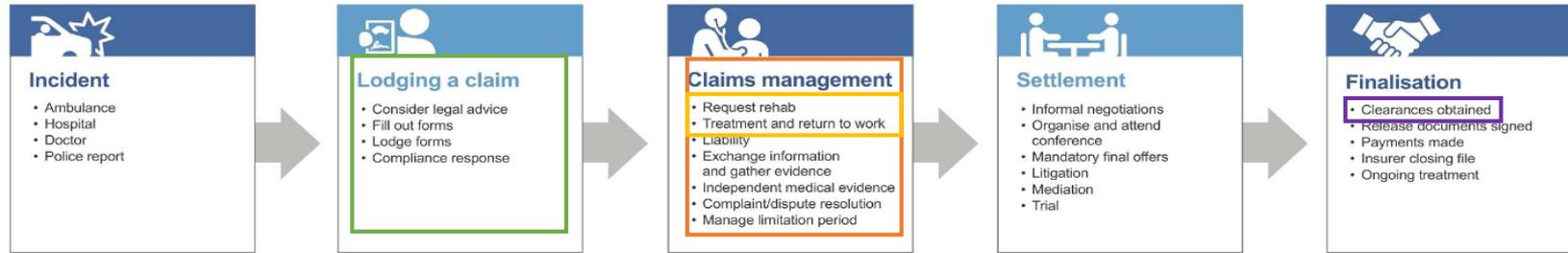


# Digital claims

- Aims to revolutionise the CTP claim process
- Improve efficiency for all parties
- Improve claims experience for people injured in motor vehicle crashes
- Digital is the future



# Digital claim exploration key focus areas



## eNOAC

How might we support claimants to submit a compliant claim form?

## Rehab

How might we support claimants to access the support needed to recover from injury more efficiently?

## Clearances

How might we support claimants through quick, efficient clearances so their payment is released sooner?

## Claimant Experience

How might we support claimants to manage and finalise their claim more efficiently?



## Injury Coding

How might we improve on the timeliness and accuracy of reporting injury coding data to PIR/MAIC?

# Online medical certificate

- Working with GPs on a digital medical certificate
- Working with rehabilitation providers on a digital treatment plan and invoice solution
- Meeting with Services Australia to digitise Centrelink and Medicare Clearances
- The benefits of digital claims go well beyond the eNOAC (that's just the start of the journey)



70% of Australians want healthcare providers to better use digital tools, mobile technology and the internet to improve their patient experience.

*Source: Medical Director's Patient Engagement Survey 2018*

# Concluding remarks

- MAIC will continue to investigate and take action against claim farming activity.
- Important for the integrity of the CTP scheme.
- We are alert to and watching out for changes in claim farmer business models.
- Law firms can play a role in helping alert us to potential changes.
- The positive support received from ALA and law firms is greatly appreciated.
- Digital claim experience – please utilise the eNOAC and engage with MAIC on the digital claim experience.



# Contact us

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## **MAIC Enquiry Line**

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Thank you