The UK's Class Action Landscape in 2025: Business, Consumers, and the Future of Collective Redress

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Kendal Global Advisory

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Executive Summary

This report brings together two perspectives often considered in isolation: how UK businesses experience class / collective actions and redress regimes, and how consumers perceive and engage with them. By drawing on interviews with 23 major companies and nationally representative consumer polling (among GB adults aged 18-75), we have analysed mass litigation and its role in the UK economy, the need for reform and the levels of awareness and understanding of consumers of the regime.

Key findings

The message from corporates is one of support for a collective regime where consumers receive fair redress and where there has been clear wrongdoing. But they voice widespread concern around the status quo and direction of travel:

Class / collective actions are no longer a marginal legal risk but a board-level issue, with provisions running into the hundreds of millions of pounds. Legal costs are significant, running into the tens of millions and up to hundreds of millions, defence strategies complex, and the potential reputational damage is enormous.

Corporates are concerned that consumers are not at the forefront of many of the claims they are either facing or seeing in the sector.

There is a need for government regulation of third-party litigation funding (TPLF).

The current class action regime has resulted in some corporates delaying product launches, and as a consequence, viewing the UK as a less attractive investment destination.

Our findings show that consumers are generally **disengaged,** with only 17% reporting ever having sought to claim any form of compensation (either directly or through a class action), with half of this cohort (equating 8% of adults) reporting involvement in a class action, **underinformed**, with 69% not aware claims can be brought without their consent (i.e. opt-out) and **cautious**, with 79% expressing concerns around potential costs to them if they were to sign up to a claim.

Foreword

This report is both timely and necessary. The collective redress regime was intended to serve consumers and deter bad corporate behaviour. In practice, consumers remain largely disengaged, corporates face mounting costs, and the regime risks fuelling litigation activity concentrated within a small segment of the legal market.

The findings are stark. On paper, hundreds of millions of "class members" have been counted in UK opt-out competition cases alone. In reality, only around 17% of adults report ever having sought to claim any form of compensation (either directly or through a class action), suggesting that many may be unaware of their involvement in class actions. This gap goes to the heart of legitimacy: a system designed to serve consumers cannot justify itself if they neither know about it nor benefit from it.

Polling by Ipsos shows that many consumers struggle to understand even basic 'no win, no fee' agreements. While 19% believe they could face fees without a successful outcome (with a further 18% believing they would have to pay all or some of the legal fees incurred by those launching the class action), 37% believe they would never have to pay anything at all. If a simple concept is so widely misunderstood, how can consumers be expected to navigate increasingly complex funding arrangements? This underlines the need for closer scrutiny of third-party litigation funding agreements and the gap between what consumers are promised and what they actually receive.

Interviews with leading businesses highlight the unintended economic consequences: provisions running into the hundreds of millions, delayed product launches, and growing scepticism about the UK as a reliable jurisdiction. These are not the hallmarks of a world-class business environment. They are warning signs policymakers must take seriously.

Fair Civil Justice was established to help ensure that the UK retains a legal system that delivers genuine fairness to both claimants and defendants. That means consumers and businesses should have access to redress when wrongdoing occurs, but also that opportunistic funders and speculative claims do not undermine investment, innovation, or public trust.

The evidence base is growing. This report adds vital data to work already undertaken by others in showing the scale and trajectory of the challenge. The message is clear: without reform, the UK risks drifting into a litigation culture that benefits intermediaries while leaving consumers short-changed.

Policymakers should treat this report as a wake-up call. Stronger notification rules, greater transparency, and stricter regulation of the funding industry are the minimum steps required to restore balance. The UK deserves a regime that is fair, credible, and fit for purpose.

Seema Kennedy OBE
Executive Director, Fair Civil Justice

Introduction

Welcome to Kendal Global Advisory's first UK Class Action Review, produced in partnership with Faegre Drinker Biddle & Reath LLP.

Our report offers the first integrated analysis of the UK's class action landscape from both a corporate and consumer perspective.

We spoke with senior representatives from 23 major businesses operating in the UK, together representing more than £8 trillion in market capitalisation, 500,000+ UK employees, and an average of 75 years in the UK market.

Strikingly, more than two-thirds of these businesses (68%) have already faced at least one class / collective action in the UK, underlining how widespread the risk has become.[1] Class actions have shifted from a niche legal concern to a board-level strategic risk, influencing investment decisions, product launches, and capital allocation.

Our report shows the costs to business are substantial, with companies setting aside tens of millions each year on legal costs, on top of the figures set aside to pay out compensation if claims are successful. This occurs even when the legal merits of the claims are viewed as too weak to satisfy auditors. The cumulative quantum of UK opt-out and opt-in claims for 2024 was £135 billion, £95 billion of which was in the Competition and Appeal Tribunal (CAT).[2] These figures go far beyond the government's initial calculations on the potential impact on business for opt-out collective actions back in 2013. The Department for Business Innovation & Skills estimated the net cost to business for each claim at £21.56m for competition claims.[3]

We also commissioned nationally representative polling (2,047 adults in Great Britain) with Ipsos. We wanted to understand the public's perceptions around and experience of seeking compensation from corporates, their motivations for joining claims and concerns about the risks and recall of information they have seen around existing claims. Our findings show that consumers are generally disengaged, 17% reporting ever having sought to claim any form of compensation (either directly or through a class action), with half of this cohort (equating 8% of adults) reporting involvement in a class action, underinformed - 69% are not aware claims can be brought without their consent (i.e. opt-out) - and cautious, with 79% expressing concerns around potential costs to them if they were to sign up to a claim.

Corporates and consumers alike recognise the value of collective redress when it is fair and proportionate. But our research shows that the current system is imbalanced. Without reforms to improve transparency, strengthen notification, and ensure that unclaimed funds are used for the benefit of consumers, the UK risks drifting toward a litigation culture that imposes heavy costs while delivering little real justice to consumers that feel they deserve compensation or have suffered harm.

At Kendal Global Advisory, we see these issues every day. Our team has worked on some of the most significant claims in the UK and we have in depth understanding of the market and tactics used. We work closely with the world's leading law firms on critical issues including class actions, helping clients navigate the reputational impact of high-stakes litigation.

We are grateful to all corporate participants and partners who contributed to this work.

Alan Morgan
Managing Partner, Kendal Global Advisory

[1] *In the UK, class actions generally take two forms: Group Litigation Orders (GLOs), where claimants must opt in to join, and collective proceedings (often in the Competition and Appeal Tribunal), where eligible individuals are automatically included unless they opt out.*

[2] CMS, European Class Action Report 2025 (CMS Law-Practice Guides, July 2025), https://cms.law/en/media/international/files/cms-european-class-action-report-2025?v=2.

[3] BIS, "PRIVATE ACTIONS in COMPETITION LAW: A Consultation on Options for Reform -Final Impact Assessment," *Department for Business Innovation & Skills,* January 2013, https://assets.publishing.service.gov.uk/media/5a796fb4ed915d07d35b5772/13-502-private-actions-in-competition-law-a-consultation-on-options-for-reform-final-impact.pdf.

We delayed a product launch in the UK because of the litigation risk. That should worry policymakers."

General Counsel, Global company

The UK is starting to feel like a toxic environment for doing business.

Global mining company

The Rise of Collective Redress in the UK

Over the past decade, mass litigation has moved from the margins of the UK legal system to be a defining feature of the corporate and regulatory landscape. Once a niche procedural tool, collective redress has expanded rapidly since the Consumer Rights Act 2015 introduced an "opt-out" regime for competition claims. The Supreme Court's decision in Merricks v Mastercard (2020) further accelerated the trend, lowering the certification threshold and opening the door to a new wave of claims.

The cumulative value of UK class actions in 2024 has reached £135 billion, involving more than 655 million putative class members (under the CPO regime) – the equivalent of over 10 class actions for every person in the UK.[4] Meanwhile, the third-party litigation funding (TPLF) market has exploded: the UK is now the world's second-largest market, providing the capital that underwrites the growth of group litigation,[5] with all claims currently in the CAT being externally funded. Specialist claimant firms, including new US entrants, have expanded the scope of actions beyond traditional financial services into data, automotive, life sciences, technology, and ESG-related disputes.

The Balance to Strike

The UK now finds itself at a crossroads. On the one hand, collective proceedings have become an established tool of consumer redress, supported by an ecosystem of funders, law firms and claims management companies. On the other, the scale, cost, and limited consumer benefit raise questions about whether the system is delivering access to justice.

Recent developments suggest that government itself recognises the system's shortcomings. In August 2025, the Department for Business and Trade (DBT) launched a review of the opt-out regime to assess whether it strikes the right balance between redress and competitiveness.[6] The Civil Justice Council (CJC), in its final recommendations published in June 2025, called for statutory regulation of third-party litigation funding by the Lord Chancellor, noting that voluntary codes have failed to protect consumers.[7] The Solicitors Regulation Authority (SRA) has also intervened, publishing a thematic review of high-volume claims management that found widespread non-compliance, and opening a wider call for evidence on litigation practices.[8]

These interventions mark a turning point. Concerns once voiced primarily by corporates are now echoed within government, regulatory bodies and Parliament. The policy debate is no longer whether reform is needed, but what shape it should take. At stake is the UK's ability to remain a world-class jurisdiction for business and investment, while ensuring that consumers are genuinely protected and confidence in the justice system is maintained.

The Advertising Standards Authority (ASA) is also taking a closer interest in the methods that law firms are using to recruit claimants for these cases. The ASA recently ordered two law firms to remove misleading "no win, no fee" compensation claim adverts from Facebook and their websites, as these promotions failed to clearly disclose important information about potential service fees and client liabilities. Our polling supports the need for further education. 34% of respondents said they would not (or did not, in the case of those who reported involvement in a class action launched by a third party) fully read terms and conditions of a "no win no fee" agreement fully or at all and 18% believe they would have to pay any fees even if they did not receive any compensation, with a further 18% believing they would have to pay all or some of the legal fees incurred by those launching the class action.

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[4] CMS, European Class Action Report 2025 (CMS Law-Practice Guides, July 2025), https://cms.law/en/media/international/files/cms-european-class-action-report-2025?v=2.

[5] Sarah May, Michael Barber, and Tom Middleton, "Addressing Collective Redress: Trends, Corporate Behaviour, Funding, and Damages," Grant Thornton UK, November 21, 2024, https://www.grantthornton.co.uk/insights/addressing-collective-redress-trends-corporate-behaviour-funding-and-damages.

[6] Department for Business and Trade, "Opt-out Collective Actions Regime Review: Call for Evidence," GOV.UK (Department for Business and Trade, August 6, 2025), https://www.gov.uk/government/calls-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence/opt-out-collective-actions-regime-review-call-for-evidence.

[7] CJC, "Review of Litigation Funding Final Report Review of Litigation Funding -Final Report Contents" (Civil Justice Council, June 2, 2025), https://www.judiciary.uk/wp-content/uploads/2025/06/CJC-Review-of-Litigation-Funding-Final-Report.pdf.

[8] SRA, "High-Volume Consumer Claims Thematic Review," Sra.org.uk (Solicitors Regulation Authority, 2025), https://www.sra.org.uk/sra/research-publications/high-volume-consumer-claims-thematic-review/.

The View from the Boardroom

To understand the views of businesses, we interviewed 23 senior representatives of some of the largest companies operating in the UK and globally. They collectively represent some of the largest employers and most valuable businesses operating in the UK, spanning industries from technology, pharmaceuticals, and financial services to energy, mining, and retail. 30% of the corporates interviewed are currently listed in the FTSE100 index.

Most participants had already faced class / collective action proceedings in the UK, with several reporting involvement in multiple cases. While many of these organisations have operated in the UK for decades -in some cases for more than a century - the rise of mass litigation is viewed as a new and escalating strategic risk.

This breadth of engagement and experience underlines the significance of the findings.

Corporate interview snapshot:

23
Businesses interviewed

16 out of 23
Businesses involved in a UK class action

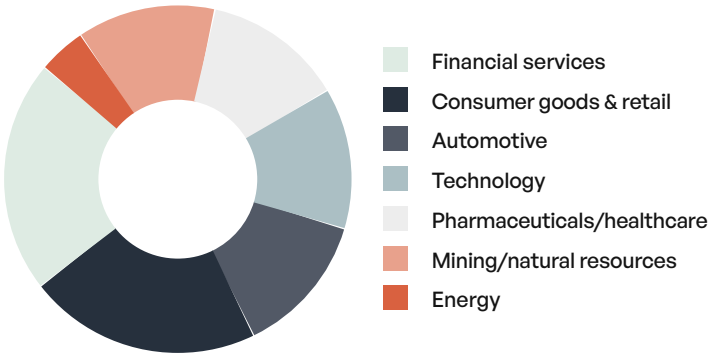
500,000
Total UK employees (across all companies with data)

£8 trillion
Total market cap (GBP, across all with data)

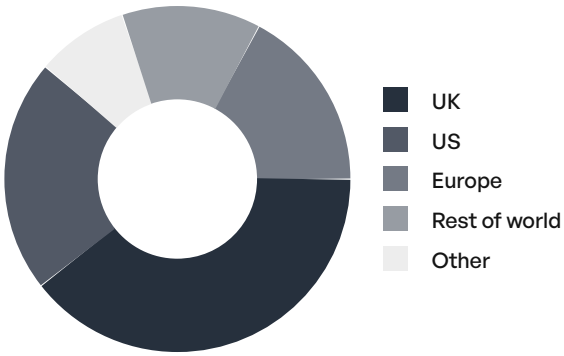
75 years
Average time in the UK market

7
Sectors interviewed

Corporates Interviewed: Breakdown by Sector



Corporates Interviewed: Breakdown by Country of Origin and/or Listing



Corporate Interviews Analysis

01 Exposure and strategic risk

When asked about their views towards class / collective actions, corporates noted the importance of effective compensation schemes and the need for collective regimes where there has been proven wrongdoing. Many also commented on the importance of effective alternative dispute resolution options, direct to consumer schemes and regulators.

The interviewees spoke with extensive and varied experience of the regimes, over two thirds of the companies interviewed have already been directly involved in at least one UK action, with 17% having faced more than one. The concentration and type of exposure varies across sectors. In the technology sector, interviewees reported ongoing cases or proceedings relating to privacy and data protection, with claims linked to GDPR and consumer rights. One respondent noted that, more broadly, any consumer-facing corporation is at risk of class actions.

"Consumer-facing companies are exposed. Products that are standardised and widely distributed carry more risk. If you produce bespoke or highly specialised products, the chance of facing a class action is much smaller."

Multinational medical technology company

For pharmaceuticals and life sciences, companies identified product liability risks as well as damages claims tied to competition law. Automotive firms highlighted consumer claims relating to emissions and financing. Financial services companies pointed to motor finance and alleged mis-selling cases as a major source of exposure. In energy and utilities, executives noted an emerging wave of ESG and climate-related class actions. What united these examples were concerns about the way the collective redress regime in the UK is evolving, where the CAT is being utilised "strategically" by claimant firms, according to one respondent who works in financial services.

Class / collective actions have now become a standing item on risk registers, requiring direct attention from boards, senior executives, audit committees, and communications teams.

One FTSE 100 company explained that its group audit committee reviews class action exposure on a quarterly basis. Another multinational disclosed that litigation risk was a factor in determining global capital allocation.

"We now treat class actions as a strategic risk at board level - not just a legal issue."

FTSE 100 automotive manufacturer

The costs associated with class actions extend well beyond damages. Companies described setting aside provisions running into the hundreds of millions of pounds, even where they believed the legal merits of the claim to be weak. These provisions are necessary to satisfy auditors and investors but have the effect of tying up working capital that could otherwise be deployed productively.

The impact on business strategy is tangible. Several companies reported that litigation risk has shaped their approach to pricing, products, and market entry. One respondent confirmed that their corporation had delayed a product launch because of concerns over litigation and regulatory uncertainty. One corporate respondent underlined the negative, and ultimately distracting effect collective actions have:

"Even if you think a claim is meritless, billions in potential damages hanging over you is hugely distracting. It takes executive time, worries shareholders, and weighs on risk management."

Technology company

Policy implication:

Collectively, corporate respondents have suggested that class / collective actions have become a systemic risk despite many noting they do not believe the claims have merit. The current regime is imposing significant costs on businesses – tying up capital, distorting product and investment decisions, and consuming executive time – while providing limited clear benefit to consumers. The imbalance undermines confidence in the collective redress system and risks making the UK a less attractive market for global investment. A potential reform could involve strengthening the certification process in the CAT, requiring clearer demonstration of consumer benefit and proportionality before cases proceed. Such a change could reduce opportunistic claims, restore certainty for businesses, and ensure that collective actions deliver meaningful outcomes for consumers who have faced injustices.

The price of mass consumer claim litigation

Jeremy Andrews, *Partner, Faegre Drinker Biddle & Reath LLP*

Costs crisis

Legal costs associated with mass litigation can be excessive and pose a substantial financial burden, particularly in cases where the number of claimants reaches into the hundreds of thousands. When the losing party is typically liable for the winner's costs as well as its own, significant sums must be ringfenced for legal costs alone.

Some claimant law firm practices have been the subject of judicial scrutiny in the context of high-profile group actions, such as the Dieselgate litigation, underscoring the need for robust cost management. In the Dieselgate case, judges slashed cost budgets by around 50% and highlighted that plans for 30 fee earners to attend court on the claimant side were "frankly remarkable".

Businesses facing group claims are confronted with an inherent challenge: mass claims will invariably attract significant legal costs. However, the recently released Civil Justice Council (CJC) report into litigation funding noted a potential link between litigation funding and increased cost budgets in mass litigation. Respondents to the CJC report considered that external funding may remove financial constraints that otherwise encourage early settlement, resulting in protracted proceedings and increased costs.

English civil procedure and Competition Appeals Tribunal (CAT) rules do operate to control litigation costs, but respondents to the CJC report felt that these need to be more effectively and consistently applied. In response, the CJC has recommended the development of a new Pre-Action Protocol specifically tailored to mass claims, applicable in both civil proceedings and the CAT. This may be the most effective means of addressing the challenges associated with mass litigation, balancing access to justice with the need for proportionality in costs.

Lofty claims, low returns

While claimant/consumer groups are quick to emphasise the sheer number of claimants they represent and vast scale of damages that may be available to them; based on the publicly available judgments, returns for claimants/consumers to date have been low.

The starkest example of this was the settlement of the long-running Merricks v Mastercard litigation. Initially touted as a claim for £14 billion concerning 44 million claimants; the case settled for £200 million. Of that settlement amount, only half - £100 million - has been ring-fenced to be distributed to consumers (although there is provision to top that up if the take-up of consumers is higher than expected). Further a cap of £70 has been applied per consumer claiming. The remaining £100 million will be distributed to the litigation funders and lawyers, with any residual amounts distributed to charity.

Regulatory concerns

On 22 August 2025, the Solicitors' Regulatory Authority (SRA) published its thematic review of the high-volume consumer claims market. It surveyed 129 firms handling more than 2.4 million claims; and conducted site visits for 25 firms.

The review identified numerous regulatory and compliance concerns about how this work is being conducted, including (without limitation): *'failures to fully consider clients' best interests regarding litigation funding agreements and referral arrangements'; 'weak systems to check any referrer is working in a way that is consistent with the firm's regulatory obligations'; 'failure to give clients the best possible information about the costs of their matter, how the matter will be funded, and the options available to them'; and 'inadequate advice to clients about their claim's merits and prospects of success'.* Shockingly, the SRA has now opened formal investigations into nine of the 25 firms (36%) they visited.

Firms working in this space must now complete a mandatory declaration confirming they are compliant with relevant rules and obligations.

02 Concerns for claimants and customers

The second dominant theme from the interviews with corporates was scepticism about whether the system is delivering meaningful benefits for claimants, who are often their customers, employees or investors.

Executives questioned whether class actions are the most effective vehicle for consumer redress when compared to alternative dispute resolution (ADR) or ombudsman schemes. Several pointed out that these mechanisms can deliver swifter and more transparent outcomes, without the same risks of disproportionate fees. Others noted they have established their own direct to consumer compensation schemes.

The notification process - the court-approved system for informing potential class members - of their rights to join or to opt out of a claim, was identified as the weakest link. In opt-in claims, corporates reported that consumers are recruited through aggressive advertising, often with messaging or more overt tactics that exaggerate the potential compensation or understate the risks. Corporate interviewees described advertising strategies that resemble consumer marketing campaigns rather than genuine legal processes. For opt-out claims, the opposite problem arises: consumers are automatically included in the claim but have little or no awareness that they are part of the process.

"We're told there are millions of class members, yet almost none of our customers even know they're in a claim."

UK financial institution

This aligns with our consumer polling[9], which shows that 17% recall ever having sought to claim any form of compensation (either directly or through a class action), with half of this cohort (equating 8% of adults) reporting involvement in a class action. In practice, this means that "opt-out" class actions, which are justified as mechanisms of access to justice, often fail to reach the very individuals they are supposed to serve. One interviewee spoke on this sense of consumers having a lack of awareness of claims:

"What we've seen is that all the system does is drive up cost and complexity. The only people who seem to gain are the funders and lawyers – not consumers."

Technology company

15 interviewees supported regulators or courts setting minimum requirements for notification of the class. This was supported by our polling, which demonstrated that only 65% of those involved in class action lawsuits are aware of what current notification rules entail. That, third-party organisations are not obliged to inform all individuals eligible for a claim.[10]

A further concern is the treatment of residual or unclaimed damages. Corporates expressed frustration that these funds are frequently diverted to litigation funders rather than consumers.

"Unclaimed funds end up enriching the funders. That is not what access to justice should look like."

Global technology company

One interviewee noted that while some of the foundations that have received unclaimed funds play a useful role, their increasing use as a recipient of residual funds is becoming an "emollient" that masks the deeper problem of low consumer engagement. The consumer polling we conducted for this report supports this scepticism. Most of those polled (60%) believe that litigation funders should retain no more than 50% of unclaimed funds, and there is little support for funders retaining higher proportions.[11]

[9] See the Consumer Polling section of this report – subsection '1'

[10] See the Consumer Polling section of this report – subsection '1'

[11] See the Consumer Polling section of this report – subsection '2'

03 Weak government oversight

A third consistent theme was a lack of confidence in the UK government's oversight of the regime.

All corporates interviewed called for reform of the collective proceedings regime or TPLF. Many corporates described the policymaking process as slow, reactive, and fragmented. There was a widespread sense that the system has evolved in response to litigation and lobbying rather than through deliberate, forward-looking reform.

"The government is always two steps behind. By the time they act, the damage is done."

Global energy company

The PACCAR case[12] was cited repeatedly as evidence of the problem. The original Supreme Court ruling, which cast doubt on the enforceability of certain litigation funding agreements, created significant uncertainty. The previous government's move in 2024 towards rapid legislative reversal (through the Litigation Funding Agreements (Enforceability) Bill) – although ultimately abandoned due to the General Election – was interpreted by one interviewee as a sign of funder influence, rather than measured policymaking.

Beyond PACCAR, corporates identified three areas where oversight is particularly lacking:

Transparency of litigation funding
Unlike other areas of financial services, litigation funding is not subject to minimum-standard disclosure requirements. Corporates argued that this makes it difficult to assess the fairness of funding arrangements and the distribution of damages.

"Regulation of third-party funders is essential. Without it, these vehicles can be used just as investment funds or even money-laundering tools."

Multinational medical technology company

"We need statutory disclosure rules. Everyone else in financial services has to meet them — why not funders?"

Automotive manufacturer

Advertising and recruitment
Respondents noted that while companies are subject to strict advertising standards, funders and claimant firms face few equivalent obligations. This asymmetry was seen as contributing to misleading or exaggerated claims.

Notification
There is currently no statutory requirement to demonstrate that affected consumers have been effectively notified of their rights to join or opt out of a claim. Many corporates agreed with regulators or the courts applying a minimum awareness threshold as a condition of certification.

Comparisons were drawn with other jurisdictions. Some interviewees noted that in the United States, while class actions are more frequent, there are well-established rules on settlement approval and notice that provide a measure of predictability. Others pointed to EU member states, where consumer organisations are often subject to statutory duties that claimant firms in the UK currently do not bear.

Policy implication:

Across the interviews, corporate respondents argued that weak government oversight has left the UK regime reactive, fragmented, and overly shaped by funder influence. The absence of statutory rules on funding transparency, advertising standards and consumer notification undermines trust and predictability. Without deliberate, substantive reform to introduce clear disclosure and oversight requirements, class actions will continue to be perceived as serving funders first, rather than protecting consumers.

> Current regulatory proposals seem more likely to support the expansion of the litigation funding industry than to control it."
>
> **Legal Counsel, Global mining group**

[12]"R (on the Application of PACCAR Inc and Others) (Appellants) v Competition Appeal Tribunal and Others (Respondents) - UK Supreme Court," Supremecourt.uk, February 6, 2025, https://www.supremecourt.uk/cases/uksc-2021-0078.

04 Competitiveness and investment risk

The final theme concerns the broader economic consequences of class actions for the UK. We asked corporates how the current class action landscape impacts their wider decision making.

Notably, when asked if the UK is still an attractive market, considering the current collective action landscape, another interviewee said:

"Unfortunately, no. It is perceived as one of the least attractive jurisdictions among English-speaking and emerging markets."

Global company

Executives also emphasised the opportunity cost of management distraction. Respondents noted that senior executives, compliance teams, and legal departments are required to dedicate significant time to managing litigation, diverting attention from innovation and growth. This prompted some respondents to speak of wider uncertainties surrounding the UK – both legally, and as a market:

"We find it highly unpredictable and challenging for businesses. The lack of evidentiary requirements and the perceived imbalance in judicial processes create significant uncertainty. In our view, the system lacks safeguards against misuse and does not adequately consider foreign contexts or customs."

Global mining company

The broader concern is that the UK could drift towards a US-style litigation culture, characterised by high costs, unpredictability, and the deterrent effect on investment.

The U.S. Model: A Cautionary Tale for the UK

Patrick Reilly,
Partner, Faegre Drinker Biddle & Reath LLP

In the United States, class actions and mass torts are a routine feature of corporate life. A 2023 survey found that nearly two-thirds of Fortune 1000 companies were defending at least one class action, with legal spend exceeding $4.2 billion in 2024 - a 12% increase on the year before. For many businesses, the reality is stark: it is often cheaper to settle even weak or frivolous claims than to fight them.

This system reflects the incentives built into the plaintiffs' bar. Firms are encouraged to file a high volume of suits and seek quick settlements, often at the expense of meaningful consumer recovery. Research shows that while class members are typically entitled to around 60% of settlement proceeds, they actually receive less than 10%, with the remainder absorbed by lawyers and funders. Weak notification systems and the ability of plaintiffs' counsel to retain unclaimed funds exacerbate the problem.

The American model also magnifies costs for corporates through expansive discovery rules and the unpredictability of jury trials, both of which push defendants toward early settlement. These costs are ultimately borne by consumers in higher prices for goods and services.

The rise of third-party litigation funding has intensified these dynamics. Individual class actions now attract average funding packages of nearly $5 million, while portfolio deals can exceed $10 million. Some mass tort practices have secured hundreds of millions in backing. Yet disclosure of funder influence remains limited, fuelling concern about who is driving litigation and whether consumer interests are properly represented.

For the UK, the risk is not only the expansion of its own regime but the growing trend of "copy-cat" claims, particularly in areas such as data privacy. While the UK has not fully replicated the U.S. model, its trajectory is clear: without tighter oversight of funding, costs, and consumer outcomes, it risks importing many of the same flaws that have made U.S. class actions an expensive, often ineffective system.

[12] SCMS, European Class Action Report 2025 (CMS Law-Practice Guides, July 2025), https://cms.law/en/media/international/files/cms-european-class-action-report-2025?v=2.

Several companies argued that the UK risks becoming a less attractive jurisdiction in which to launch new products or services, particularly in consumer-facing industries where claims are most frequent.

"Litigating cases in the UK is enormously expensive and disruptive, especially disclosure. A 10-week trial here can be handled in two days elsewhere in Europe."

Technology company

This concern comes at a sensitive time for the UK economy. With economic growth sluggish and international competition for investment increasing, the perception that the UK is an unpredictable and costly litigation environment could have a material effect on inward investment.

Interviewees drew comparisons with other jurisdictions, Portugal and the Netherlands. While they are also experiencing significant growth, they have not yet seen claims on the same scale. For corporates, the UK's trajectory is concerning because it combines high headline numbers with low consumer engagement, producing the worst of both worlds: reputational damage without real consumer benefit.

Policy implication:

Our interviewees consistently warned that the current class action regime risks undermining the UK's competitiveness and deterring investment. Litigation is seen as costly, unpredictable, and a growing factor in decisions on capital allocation, product launches and market entry. Without stronger safeguards – such as clearer evidentiary standards and limits on disproportionate disclosure – the system will continue to divert management attention, tie up capital, and ultimately erode the UK's attractiveness as a place to innovate and invest.

"We're told there are millions of class members, yet almost none of our customers even know they're in a claim."

Legal counsel, UK financial services company

The Hidden Cost: Reputation

Katie Emms,
Partner at Kendal Global Advisory

We asked corporates about the reputational impact of claims and a number commented on the long-lasting, noticeable and perceived outsized reputational impact of claims. They commented on the "aggressive campaigning" tactics employed by claimant firms and their advisers, often including outright calls for settlement, as opposed to grass roots consumer campaigns. It is interesting to note the lack of awareness that many of those polled appear to have of group claims and the publicity around them in spite of the concerns that corporates hold.

One interviewee said that customers contacted them directly following advertising by claimant law firms, believing they were owed £750. Corporates expressed concern around what claimants were told versus the reality.

Others noted that some claimant campaigns had less impact than initially expected. But the preparation and mitigation efforts used significant time and resource.

As a result of some of the publicity mentioned, interviewees noted that they are regularly asked about the class actions they face by investors at AGMs. More sophisticated campaigns target these groups in the hopes that this may also drive settlement discussions.

Both the interviews and our own experiences working with clients facing class actions have shown that even where claims are considered spurious or opportunistic there is potential for reputational damage and knock on impact. These risks can be managed through careful coordination between legal and communications teams. It is essential that accurate and timely information is provided to media and other stakeholders to avoid misleading information driving the narrative.

Summary

The corporate interviews reveal a striking degree of consensus across industries and sectors.

Exposure is rising, with class actions now treated as a strategic risk by boards and investors. The system is failing consumers, with notification and fund distribution rules that do not deliver genuine access to justice.

Regulation – or the lack of it – is inadequate, leaving funders with disproportionate influence and corporates with limited visibility and predictability.

The regime is beginning to erode competitiveness, shaping investment and innovation decisions in ways that may damage the UK economy.

Corporates repeatedly stressed that they are not opposed to collective redress in principle. On the contrary, many expressed support for fair and proportionate mechanisms that empower consumers and hold companies to account. What they object to is a system that prioritises funder profits over consumers, thereby undermining consumer trust, and creating systemic risks for business.

The message from corporates is that serious reform is required. Without it, the UK risks drifting further into a litigation culture that benefits few, harms many, and undermines both consumer confidence and the UK's reputation as a place to do business.

The Consumer Perspective

To complement the corporate perspective, we commissioned a programme of nationally representative consumer polling designed to capture how the British public views mass litigation. The survey was conducted online by a leading UK research firm in August 2025 with a sample of 2,047 adults aged 18-75, to the known offline population proportions for age, working status and social grade within gender, and for government office region and education.[13] This methodology ensures that findings are statistically robust and broadly reflective of the GB population.

The purpose of the polling was to examine public awareness, attitudes, and expectations around collective actions and no win no fee claims. We sought to understand not only whether consumers are familiar with class actions, but also the extent to which they are willing to participate in them, how they evaluate their effectiveness, and who they believe benefits most.

Whereas businesses emphasised litigation risk, costs, and strategy, the polling shows how consumers weigh the potential benefits and pitfalls of collective actions. Together, these perspectives enable a more balanced assessment of whether the regime is delivering for both sides of the market, and how far it aligns with wider public expectations about fairness, justice, and accountability.

[13] For Kendal Global Advisory, Ipsos interviewed a representative quota sample of 2,047 adults aged 18-75 in Great Britain using its online i:omnibus between 22nd and 26th August 2025. The sample obtained is representative of the population with quotas on age, gender, region and working Status. The data has been weighted to the known offline population proportions for age, working status and social grade within gender, and for government office region and education, to reflect the adult population of Great Britain.

01 Exposure and Participation

We wanted to understand the public's exposure to and direct experience of group claims. Only 17% of adults reported ever taking legal action (or claiming compensation) against a company, and just half of these - around 8% of the UK adult population surveyed - said they had done so via a class action or collective claim.

24% of adults were aware that claims could be brought without them being informed (i.e. opt-out), while 69% were not aware. 65% of people polled said those organising class actions should seek consent from potential class members before filing. This figure highlights a contradiction. According to recent analysis, UK competition class actions alone involved more than 655 million class members by the end of 2024 – equivalent to 10.4 claims for every adult UK resident.[14] Yet very few consumers recognise themselves as participants and many believe that they should have been asked first.

The explanation lies in how the regime operates. In opt-out cases, consumers are automatically included but rarely notified in a meaningful way. In opt-in cases, participation depends on responding to adverts or targeted campaigns, which most consumers never see. As a result, the official "reach" of the system is enormous, but the real consumer engagement is minimal.

Participation in class actions according to the polling is not evenly distributed – it is not clear if this is a result of barriers to entry or the types of claims ongoing. Among those reporting seeking compensation from a business or organisation through legal process, the typical class action claimant appears to be:

Younger
(59% of 18-34s, vs. 35% of 55-75s)

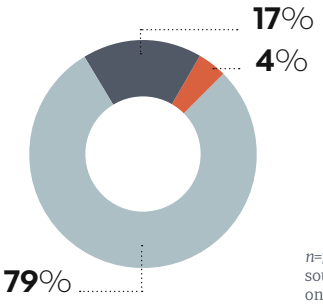
Working
(55% of working respondents vs. 36% among those not working)

Higher earners
(60% of those with household income of £55k and over, vs. 43% with incomes up to £34,999)

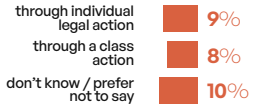
By contrast, older people, non-workers and those on lower incomes are significantly less likely to participate (i.e. report having sought legal action and answered that this was through class action).

[14] CMS, European Class Action Report 2025 (CMS Law-Practice Guides, July 2025), https://cms.law/en/media/international/files/cms-european-class-action-report-2025?v=2.

All Groups: Regardless of the outcome, have you ever sought to claim any form of compensation from a business or organisation through engaging in any kind of formal legal process?



Of those 17% who have sought compensation through a legal process:



n=365 GB adults aged 18-75 who have previous sought compensation from an organisation, online fieldwork conducted 22nd-26th August 2025.

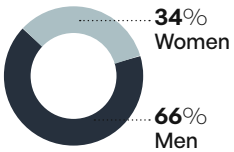
Yes
No
Don't know/prefer not to answer

Base: *n*=2,047 GB adults aged 18-75, online fieldwork conducted 22nd-26th August 2025.

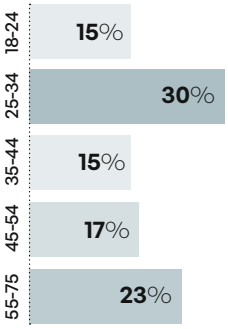
Demographics: Who is Most Likely to Pursue a Class Action

Did you seek compensation on an individual basis or was it through a 'Class Action'

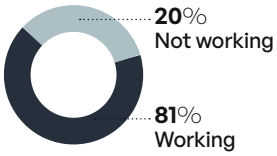
Gender



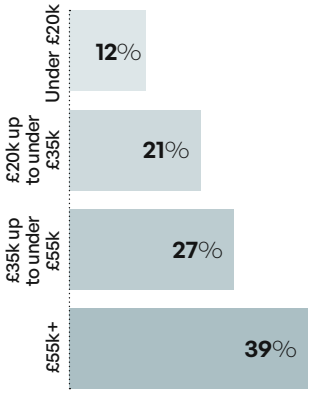
Age



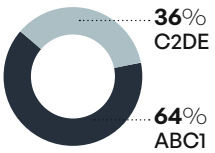
Working Status



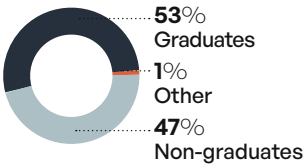
Income



Social Grade



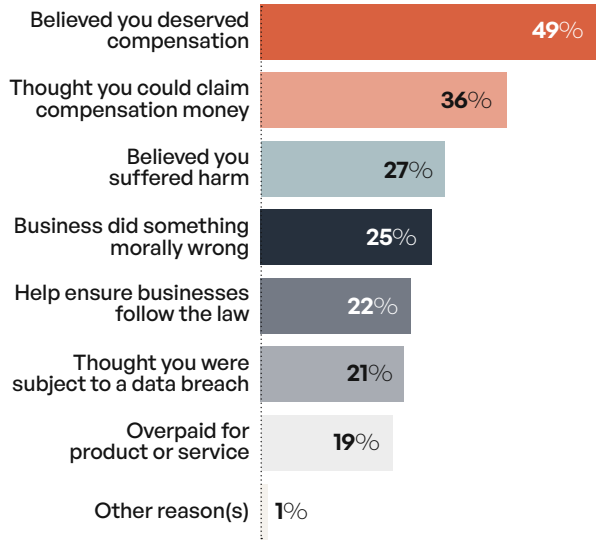
Education



Base: *n*=365 GB adults aged 18-75 who have previous sought compensation from an organisation, online fieldwork conducted 22nd-26th August 2025.

Sub group bases: **Gender:** Men (*n*=990), Women (*n*=1,037), **Age:** 18-24s (*n*=236), 25-34s (*n*=375), 35-44s (*n*=360), 45-54s (*n*=397), 55-75s (*n*=679), **Household income:** Up to £19,999 (*n*=368), £20,000 to £34,999 (*n*=497), £35,000 to £54,999 (*n*=479), £55,000+ (*n*=556), **Social grade:** ABC1 (*n*=1,203), C2DE (*n*=844), **Education:** graduates (*n*=1,091), non-graduates (*n*=956).

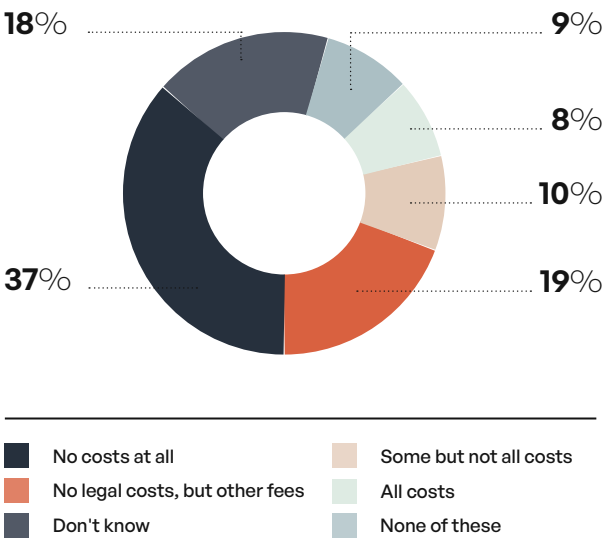
Current Class Action Participants: Reasons for Joining



Footnote: For which, if any, of the following reasons do you think you would/have you ever join(ed) a Class Action? Full responses in methodology.

Base: *n*=180 GB adults aged 18-75 who reported having joined a class action, online fieldwork conducted 22nd-26th August 2025.

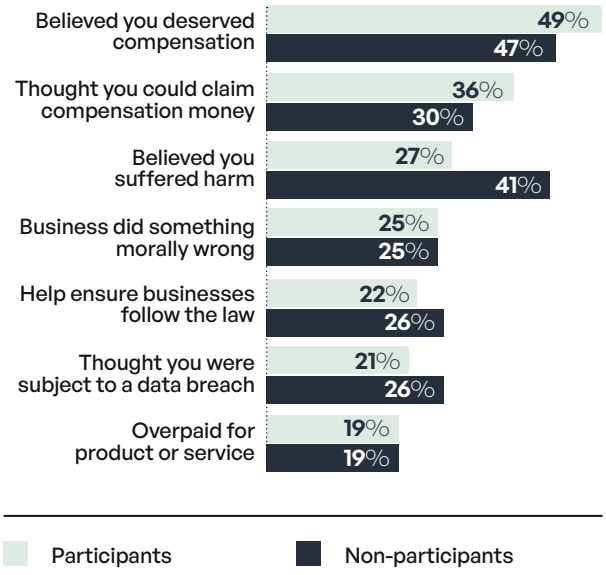
Interpretations of 'No Win No Fee' if claim unsuccessful



Footnote: Which one of the following comes closest to what you expect 'no-win, no-fee' means? Full responses in methodology.

Base: *n*=2,047 GB adults aged 18-75, online fieldwork conducted 22nd-26th August 2025.

Comparison Class Action Participants & Uninvolved: Reasons and Potential Motivations for Joining Claims



Footnote: For which, if any, of the following reasons do you think you would/ have you ever join(ed) a Class Action? Full responses in methodology.

Base: "non-participants" *n*=1,912 GB adults aged 18-75 who reported having joined a class action, online fieldwork conducted 22nd-26th August 2025.

02 Understanding Claimant Motivations

Consumers' reasons for joining class actions are revealing (we asked all participants including those that have and have not joined a claim). Respondents were shown a list of possible reasons for joining from which they could select multiple answers if they wished to do so:

42% said they would join if they believed they deserved compensation as they had suffered some kind of loss or detriment.

40% said they would join if they had suffered some kind of harm as a direct result of the business or organisation's action(s) or inaction.

30% said they would join if they believed they could claim compensation money.

25% said they would join if they thought it would help make sure that businesses and organisations follow the law.

25% said they would join if they thought the defendant (i.e. the business or organisation thought to have caused the loss or detriment) may have done something morally wrong.

25% said they would join if they thought they had been subject to a data breach.

19% said they would join if they had paid more for a product or service than they should have.

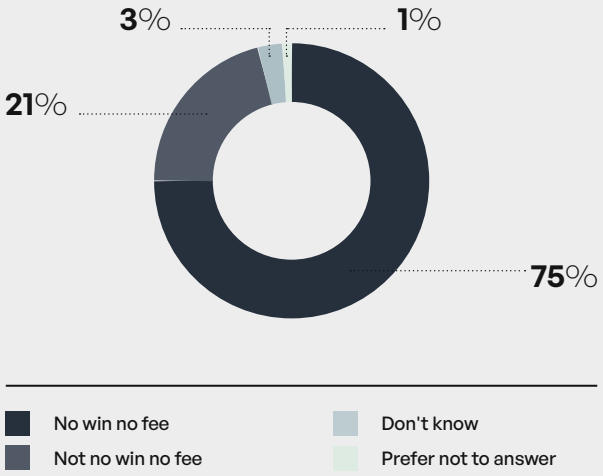
13% said they would never join a class action.

Another finding concerns corporate apologies – a matter that subject to a consultation under the previous government. 66%[15] of the public - and 84% of class action participants - agreed that companies should be able to apologise when something goes wrong without this being treated as an admission of liability that would undermine their legal position. This may signal support for a more constructive, less adversarial approach to redress.

[15] 32% of the n=2,047 respondents selected "Yes, definitely" and 35% selected "Yes, probably" when asked "Should a business or organisation be able to apologise to consumers who may have been negatively impacted without the apology having any effect on the grounds for any potential compensation case?". Among those who said they had sought legal action and then selected class action through he means through which they had done this (n=180), these proportions are 45% and 39% respectively.

03 Understanding of the terms of claims and no win no fee arrangements

We also tested the public's experience of and understanding of 'no win no fee' we asked: **Have you ever joined a Class Action claim where a third-party organisation acted to claim compensation on the basis of 'no win, no fee'?**

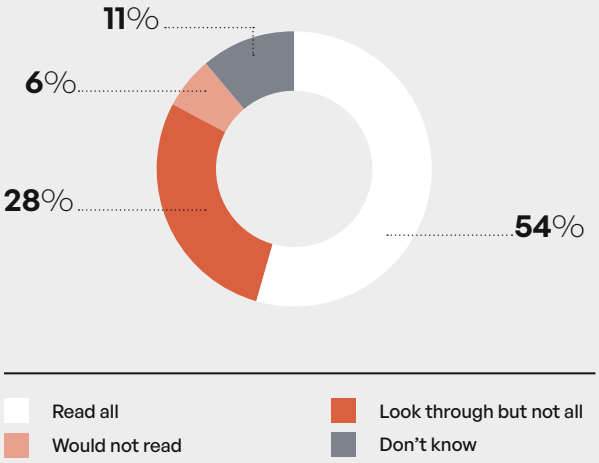


Base: *n*=122 GB adults aged 18-75 who have joined a class action launched by a third party, online fieldwork conducted 22nd-26th August 2025.

To find out what the public understand by "no win no fee", we asked the public about a scenario where the claim was not successful. 18% believe they would have to pay fees generally – a further 8% believed that they would have to pay all of the costs for legal representation, and another 10% believed they may have to pay for some but not all costs - while another 18% said they did not know.

The polling shows widespread confusion over "no-win-no-fee" arrangements. In practice, deductions, fees, and conditional charges are common, often buried in small print or poorly explained. The SRA's 2025 thematic review of high-volume consumer claims confirmed this problem, finding systemic failures in firms' duty to explain funding agreements, costs, and risks to clients.[16]

We also asked the public whether they would read the Ts &Cs when signing up to a claim.



Footnote: We also asked the public whether they would read (or, in the case of those with experience of signing up to class actions, did read) the Ts & Cs when signing up to a claim.

Base: *n*=2,047 GB adults aged 18-75, online fieldwork conducted 22nd-26th August 2025

A woman, aged 25-34, from the West Midlands, working, non-graduate, earning £35-54k is least likely to read any Ts and Cs. A man, aged 55-75, from London or Wales, unemployed, graduate, earning £55k+ is most likely to read them all.

Policy implication:

These findings underpin the argument that stronger regulation of funding agreements and claims advertising would be effective in improving transparency and rebuilding public trust. Consumers need plain-language explanations of costs, exit fees, and deductions, backed by statutory minimum standards. Without these safeguards, the risk is that class actions continue to be seen as a vehicle for funders and firms, rather than a trusted route to justice.

[16] SRA, "High-Volume Consumer Claims Thematic Review," Sra.org.uk (Solicitors Regulation Authority, 2025), https://www.sra.org.uk/sra/research-publications/high-volume-consumer-claims-thematic-review/.

04 Risks and Concerns

When asked about risks, consumers expressed consistent anxieties. Respondents were asked to rate their level of concern about the following, with the proportions stating here reflecting the proportions choosing "very" or "fairly" concerned:

Fees

Such extra fees besides legal costs **(79%)**, having to pay if it turned out they were found to have not been negatively impacted **(79%)**, or withdrawal costs **(76%)**.

Counter-claims

75% said they would be very or fairly concerned about liability for costs of compensation payable to the other side in the event that the third-party organisation who launched the class action mis-managed the claim.

Data sharing

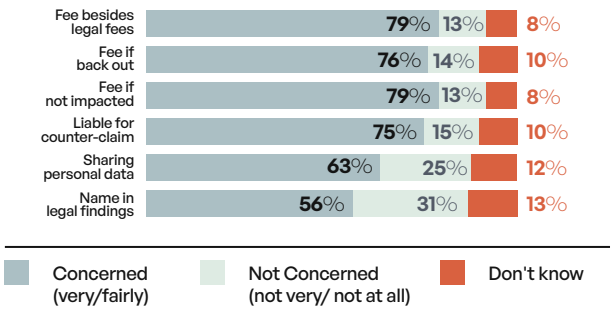
63% expressed concerns surrounding sharing personal information and data with claimant firms.

Public exposure

56% were concerned about their names being listed in court filings.

For non-participants in class actions, fear of hidden costs was the single most significant deterrent. The recent wave of motor finance claims illustrates the point: while marketed as "no-win-no-fee," investigations by the Financial Times revealed that some firms and claims management companies (CMCs) impose exit fees of up to £175 an hour if consumers withdraw after the cooling-off period.[17]

Levels of Concern Surrounding Potential Risks of Joining Class Action Lawsuits



Footnote: How concerned, or not, were you/would you be about the following being possible risks to you when/if you joined the Class Action launched by a third-party organisation? Full responses in methodology.

Base: *n*=2,047 GB adults aged 18-75, online fieldwork conducted 22nd-26th August 2025.

05 Views on TPLF

Consumers expressed clear views on what they expect from the current class actions regime. 70% of respondents said that third-party organisations "Definitely" or "probably" should ensure that third party funders will be able to get the money to those who have been negatively affected, should compensation be awarded. This may suggest that the public thinks that funders should be required to demonstrate capital adequacy - proving they have sufficient resources to deliver compensation - before a case is launched. This expectation aligns with corporate calls for funders to demonstrate financial capacity at the outset.

The question of profit-making is more divisive. Across the public, 35% supported funders making a profit, while 21% opposed it. Among third party-financed no win no fee class action participants, however, support rose to 67% - this was based on the responses of 92 respondents in the survey, but is perhaps indicative of an attitude of something is better than nothing. This suggests that while consumers broadly accept the principle that funders should earn a return, trust depends on proportionality and transparency. As recent cases such as Merricks vs Mastercard and Boundary Fares demonstrate, where funder profits appear excessive or poorly explained, the legitimacy of the system is called into question.

One of the most striking findings from our polling concerns how unclaimed damages are handled. 60% of consumers said funders should keep no more than half of residual damages (this includes 20% of all respondents (i.e. a third of the 60%) selecting "0% - the organisation should not be able to have any of it" at this question. Among those recalling exposure to advertising of class actions in the past 12 months, this proportion rises to 67%. These attitudes are sharply reflected in recent events.

In the Boundary Fares case (Stagecoach South Western Trains), although 1.4 million passengers were potentially eligible for compensation, only £216,500 has been claimed so far - less than 1% of the £25 million settlement. The unclaimed balance, roughly £10 million, will now be redistributed, with judgment expected later this year.

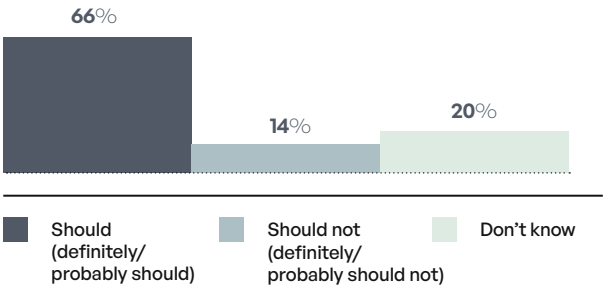
This case underlines a broader pattern: theoretical exposure (hundreds of millions in "class members") does not equate to actual redress. When large sums go unclaimed, funders and lawyers still recover fees, while affected individuals are largely left out.

[17] The Financial Times: *"Consumers Face Fees of £175 an Hour for Quitting Car Finance Claims"* https://www.ft.com/content/4fb7c352-818b-425d-bb4c-3e4fd383a8f7

Policy implication:

Residual fund rules must be reformed to ensure unclaimed damages are directed to consumers or designated consumer-benefit bodies. Low take-up must be treated as a material factor in determining how costs and returns are apportioned.

All Groups: Whether or not businesses or organisations should be able to apologise for potential injustices without affecting liability



Base: *n*=2,047 GB adults aged 18-75, online fieldwork conducted 22nd-26th August 2025.

05 Awareness and Advertising

Consumers appear to be keen for those organising claims to publicise them before they file. 66% of respondents said they definitely or probably should publicise the potential class action to alert as many people as possible who are potentially eligible for financial compensation, and only 14% said they should not.

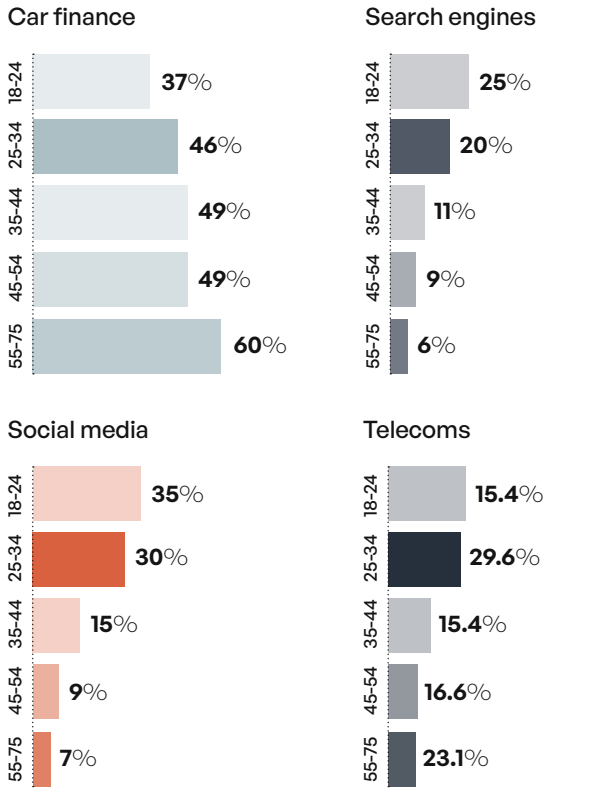
Meanwhile, recall of seeing or hearing any promotional content of claims is variable in terms of the types of organisation or business the advertised class actions relate to, from 12% to 49% of respondents positively recalling seeing content relating to claims in the past 12 months. The case most frequently recalled by respondents was motor financing (49%), likely linked to the recent Supreme Court judgment in the motor finance sector. By contrast, recall of telecoms cases was just 12%, and search engines 12%.

Demographics matter: older groups were more likely to recall car finance-related cases[18], while younger groups reported greater exposure to advertising or promotions content relating to social media companies.[19]

Among those who had participated in a class action, the proportion recalling exposure to advertising or content (in the past 12 months) recommending that eligible individuals join a class action in relation to car financing companies is 76%. This proportion is significantly higher than the 49% of the whole sample who recall this.

This indicates that advertising strategies play a critical role in shaping participation, but also that recall is patchy and uneven.

General Public: Recall of class action advertising by age group (past 12 months)



Footnote: In the past 12 months, before taking this survey, do you recall seeing or hearing any adverts or promotional content/ articles recommending that eligible individuals join a Class Action in order to claim compensation against the following types of businesses or organisations?

Base: *n*=2,047 GB adults aged 18-75, online fieldwork conducted 22nd-26th August 2025. Age group base sizes: 18-24: *n*=236, 25-34: *n*=375, 35-44: *n*=360, 45-54: *n*=397, 55-75: *n*=679.

[18] 60% of 55-75s (n=679) reported recall of adverts or promotional content relating to car-financing companies (past 12 months). This compares to 35% among the n=236 respondents aged 18-24.

[19] 35% of 18-24s (n=236) reported recall of adverts or promotional content relating to social media companies (past 12 months). This compares to 7% among the n=679 respondents aged 55-75.

Summary

The polling shows a clear credibility gap.

Hundreds of millions of people have been counted as "class members," yet only 17% of adults report ever having sought to claim any form of compensation (either directly or through a class action), with half (50%) of this group of *n*=365 respondents then stating that they had taken part in a class action. Most join because they think it's fair or because they've suffered harm — but many misunderstand "no win, no fee," and worry about hidden costs.

Cases like the Boundary Fares settlement, where less than 1% of eligible consumers claimed compensation while lawyers and funders received millions, reinforce public scepticism. Motor finance claims, now under FCA and SRA scrutiny, show how aggressive advertising and exit fees add further risk.

Consumers want a system they can trust: clear rules on costs, proper notification, and unclaimed funds used for their benefit. Without change, class actions will continue to generate headlines but little real value for the people they are meant to serve.

Methodology

This report draws on two primary strands of research: semi-structured interviews with corporates and a nationally representative consumer survey.

Corporate Analysis

We conducted 45-minute semi-structured interviews with senior representatives from a cross-section of sectors, including financial services, consumer goods and retail, automotive, technology, pharmaceuticals and healthcare, mining and natural resources, and energy. Each interview was guided by a five-part questionnaire: (A) experience and exposure; (B) impact and risk perception; (C) policy, trust and enforcement; (D) future outlook; and (E) notification plans.

Interview responses were first summarised by question and then condensed into composite corporate accounts for each section. Using an inductive, thematic analysis, we coded recurring issues and grouped similar responses to identify common themes, as well as divergences in corporate perspectives. These were subsequently analysed through content analysis, allowing us to measure the frequency of particular concerns and attitudes across the sample. Findings were cross-checked against transcripts to ensure reliability.

Consumer Polling

For Kendal Global Advisory, Ipsos interviewed a representative quota sample of 2,047 adults aged 18-75 in Great Britain using its online i:omnibus between 22nd and 26th August 2025. The sample obtained is representative of this population with quotas on age, gender, region and working status. The data have been weighted to the known offline population proportions of this audience for age, working status and social grade within gender, and for government office region and education, to reflect the adult population of Great Britain.

Sub-groups compared or contrasted in this report include:

Gender: Men (*n*=990), women (*n*=1,037).

Age bands: 18-24s (*n*=236), 25-34s (*n*=375), 35-44s (*n*=360), 45-54s (*n*=397), 55-75s (*n*=679).

Working status: Working (*n*=1,346), non-Working (*n*=701 Household income bands: Up to £19,999 (*n*=368), £20,000 to £34,999 (*n*=497), £35,000 to £54,999 (*n*=479), £55,000+ (*n*=556).

Social grade: ABC1 (*n*=1,203), C2DE (*n*=844)

Education: Graduates (*n*=1,091), non-Graduates (*n*=956).

Age groups among those who have been involved in a class action: 18-34s (*n*=134), 55-75s (*n*=116).

Working status among those who have been involved in a class action: Working (*n*=259), non-Working (*n*=106).

Household income among those who have been involved in a class action: £55,000+ (*n*=129), up to £34,999 (*n*=137).

The questionnaire explored past participation in compensation processes, both individual and collective, and attitudes toward class actions. This included motivations for joining, concerns around risk and fees, awareness of advertising and notification practices, views on the fairness of profit-making by third-party organisations, expectations of "no-win, no-fee" arrangements, and opinions on the handling of unclaimed compensation. Respondents were also asked about exposure to recent class action promotions and their preferences for reform, such as regulation of notification standards and third-party funders.

By combining corporate testimony with consumer data, the methodology enables a dual-lens analysis of the UK's class action environment, grounding thematic insights in both business and public perspectives.

P.18 Current Class Action Participants: Reasons for Joining

For which, if any, of the following reasons do you think you would/ have you ever join(ed) a Class Action?

(If) you thought the business or organisation (thought to have caused the loss or detriment) may have done something morally wrong.

(If) you thought it would help make sure that businesses and organisations follow the law.

(If) you believed you deserved compensation (i.e. that you had incurred some kind of loss or detriment for which you should be compensated).

(If) you believed you had suffered some form of harm as a direct result of the business or organisation's action(s) or inaction.

(If) you thought that you could claim compensation money.

(If) you thought you had been subject to a data breach (i.e. where your personal information had been compromised).

(If) you thought that you had paid more for a product or service than you should have.

Other reasons.

I would never join a Class Action.

Don't know.

P.18 Comparison Class Action Participants & Uninvolved: Reasons and Potential Motivations for Joining Claims

For which, if any, of the following reasons do you think you would/ have you ever join(ed) a Class Action?

(If) you thought the business or organisation (thought to have caused the loss or detriment) may have done something morally wrong.

(If) you thought it would help make sure that businesses and organisations follow the law.

(If) you believed you deserved compensation (i.e. that you had incurred some kind of loss or detriment for which you should be compensated).

(If) you believed you had suffered some form of harm as a direct result of the business or organisation's action(s) or inaction.

(If) you thought that you could claim compensation money.

(If) you thought you had been subject to a data breach (i.e. where your personal information had been compromised).

(If) you thought that you had paid more for a product or service than you should have.

Other reasons.

I would never join a Class Action.

Don't know.

P.18 Interpretations of ‘No Win No Fee’ if claim unsuccessful

Which one of the following comes closest to what you expect 'no-win, no-fee' means? If the Class Action does not win compensation for those claiming, people joining the Class Action.

(If) you would not have to pay anything to the third-party organisation that launched the Class Action.

(If) you would not have to pay any costs for the legal representation/legal work incurred by the third-party organisation that launched the Class Action, BUT would have to pay for other fees incurred (e.g. insurance costs, the cost of industry experts' advice, etc.)

(If) you would have to pay some, but not all, costs for the legal representation/legal work by the third-party organisation that launched the Class Action.

(If) you would have to pay all of the costs or the legal representation /legal work by the third-party organisation that launched the Class Action.

None of these.

Don't know.

P.21 Levels of Concern Surrounding Potential Risks of Joining Class Action Lawsuits

Which one of the following comes closest to what you expect 'no-win, no-fee' means? If the Class Action does not win compensation for those claiming, people joining the Class Action.

You personally having to pay a fee beside the legal fees.

Having to pay a fee if you decided to back-out of the Class Action.

Having to pay a fee if it turns out you were not actually negatively impacted.

The third-party organisation who launched the Class Action not managing the claim properly so the business or organisation against which the claim is being sought is able to make a counter-claim and you are liable to pay to compensate them in some way.

Being named in legal filings.

Having to share personal information or data.

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