

# The Rise of Class Actions in the UK

The UK is the most active jurisdiction in Europe for collective litigation. Between 2018 and 2020 alone, the UK saw a nearly 370 percent growth in class actions. This trend is set to accelerate, due to the increasing availability of opt-out mechanisms through court rulings and statutes, a surge in litigation funding and an activist plaintiffs' bar.

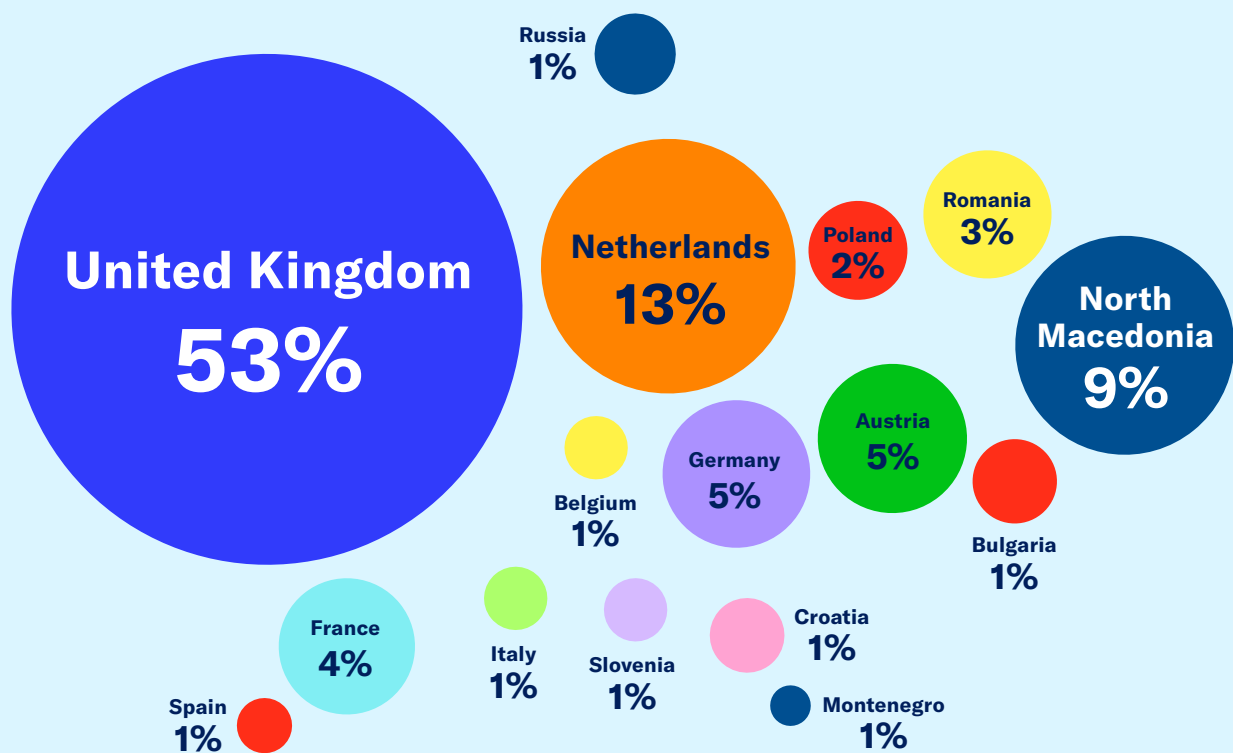
## New Lobby Groups for Lead Claimants & Their Lawyers

In March 2022, the Class Representatives Network (CRN) was set up by Walter Merricks, the lead claimant in the 10-billion-pound claim against Mastercard in the UK. CRN represents the interests of the class representatives behind similar major collective actions against businesses. The claimant law firms also have a new lobby group—the Collective Redress Lawyers Association (CORLA), launched in April 2022. The purpose of the organisation is to advocate for more U.S.-style class action devices and engage in public affairs and lobbying.

## UK Litigation Funding Market Now Worth £2.2 Billion

The growth of litigation funding also demonstrates the increasing size of the UK class action market. In 2010, the combined balance sheet assets of the 15 largest litigation funding companies in the UK was worth £6 million. That number rose to £650 million by 2015-16 and last year reached a record £2.2 billion. Of the 65 funders active in the UK, only 14 are members of the self-regulatory body, the Association of Litigation Funders (ALF).

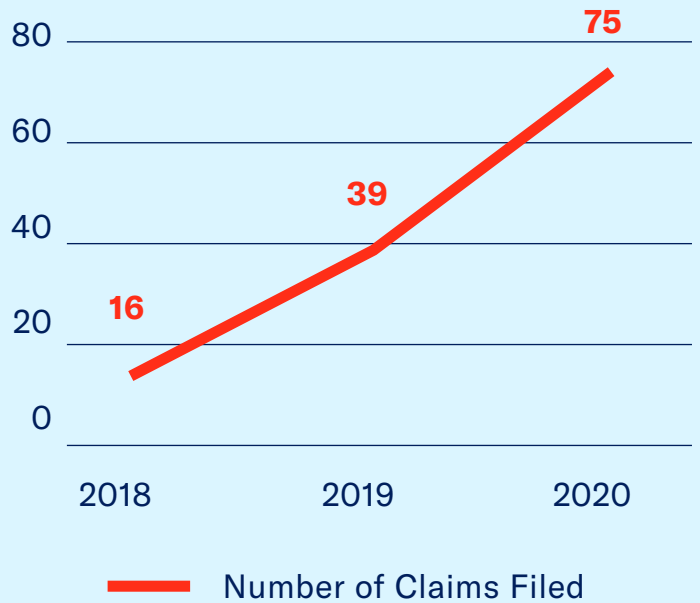
## European Class Actions By Jurisdiction 2016–2020



## The UK as the Jurisdiction of Choice

UK courts have traditionally exercised a long-arm approach to their jurisdiction, and plaintiffs' law firms are bringing high value class actions against multinationals for conduct outside of the UK, using local agents to contact claimants.

## UK Class Actions Filed By Year 2018–2020



## Expansion of Class Action Mechanisms

- Opt-out class action procedures available for antitrust/competition cases, such as *Merricks v Mastercard*.
- Collective actions for data protection claims (multi-billion-pound cases testing the limits of this mechanism, such as *Lloyd v Google*).
- Introduction of class action for all causes of action in Scotland (puts pressure on other UK jurisdictions to do the same).
- UK government consultations on introducing further class action mechanisms for data protection and consumer claims.

## Foreign Plaintiffs' Firms Capitalizing on New Opportunities

Foreign plaintiffs' firms are increasingly confident that the legal environment in the UK suits them. Over 20 U.S. plaintiffs' firms are operating in the UK, including Lanier; Hagens Berman; Hausfeld; Quinn Emanuel; Scott + Scott; Milberg; and Keller Lenkner.