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**Pains, Claims and
Automobiles**

Jon Butler, Head of
Automotive,
Geldards



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Court of Appeal
Judgment – 25 October
2024

*Johnson v FirstRand Bank
Limited, Wrench –v
FirstRand Bank Limited, &
Hopcraft v Close Brothers
[2024]*

Surprising in content

Senseless on analysis

Seismic in impact



New duties

A “disinterested duty”

A “fiduciary duty”

Full disclosure

Some challenges

Judgment insufficiently explained

Inconsistent

Patronising in application

Next steps

Extension to FCA pause

Likely appeal to
Supreme Court

A fast-tracked decision
by 2026

Ongoing judicial review

Key takeaways

Carry out a full impact assessment

Re-map your entire customer journey

Disclose, disclose, disclose

Tell your customers you are not acting in their best interests & are not impartial

Be ready operationally for claims

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Thank you