

Letters to the editor
The Law Society Gazette

Re your story 14 August: 'Doctors blame no-win, no-fee for rise in legal actions'

Sir,

There is no evidence whatsoever that the availability of conditional fee agreements (CFAs) is a factor behind the increase of claims for medical blunders.

Although the Medical Defence Union's (MDU) figures show a ten per cent increase in claims last year, this is against the back drop of an eight per cent increase in the number of patient safety incidents recorded by the National Patient Safety Agency (NPSA).

Furthermore, the MDU's own figures, which show a 56 per cent increase in disciplinary cases and an 18 per cent increase in General Medical Council (GMC) investigations, surely also represent a serious issue for the medical profession in relation to standards.

So it is difficult to see why the MDU has ruled out the possibility of diminishing standards as a potential explanation for the increase in claims.

On the subject of patients' levels of compensation, it should be remembered that settlement figures are not an arbitrary sum, but are carefully calculated to ensure that the future needs of the innocent victim are properly catered for.

Claimants already face losing up to 25 per cent of their damages for pain and suffering once the Legal Aid, Sentencing and Punishment of Offenders Act has been implemented. There is



no justification for injured patients to face any further reductions and there is no justification for them to be treated any differently from other litigants.

Yours faithfully,

Deborah Evans
Chief Executive, Association of Personal Injury Lawyers