



**27 November 2013**

**The Times**

**Re: Medical negligence (27 November)**

There has been much comment in *Letters to the Editor* about the right of victims of medical blunders to claim compensation, including whether the NHS should be held accountable at all.

The duty of care owed by clinicians to patients is not set at an arbitrary level, but at a standard the medical profession deems to be appropriate. There will be many ways to improve patient safety, but to suggest that removing the right to compensation from a suffering individual when those to whom he has entrusted his health have failed to uphold their own standards is extreme, and wholly unfair.

It has been suggested that compensation should be based on need rather than negligence (26 Nov). But it is only sensible that the system is rooted in the need to avoid needless injuries. The injured people who embody medical failures have very real, practical needs arising from those failures and should not be forgotten as lessons are learned.

Deborah Evans

Chief executive

Association of Personal Injury Lawyers (APIL)