



February/March 2014

Regional letter campaign – access to justice for dementia patients

Sir,

We have all heard shocking stories about how some elderly people in hospitals and care homes are looked after. So it is perhaps unsurprising that members of the Association of Personal Injury Lawyers (APIL) have reported an increasing number of enquiries from patients with dementia, and their families, about seeking compensation for poor care.

Recompense for this type of case rarely runs beyond a few hundred pounds, but should rightly be pursued in the name of justice for these terribly vulnerable people who have been subjected to the indignity of needless neglect. Low-value cases requiring complex medical evidence often cannot run as the costs of investigation far outweigh the compensation. This situation follows reforms to the no-win no-fee system last year which moved some of the costs of bringing a case from the wrongdoer onto the injured person. By the time these costs are paid, there is often little point in pursuing redress in these cases.

Some law firms, so horrified by accounts of poor treatment and neglect, run cases without taking a fee but cannot possibly do this for everyone. Last year, our warnings that some injured people would suffer injustices because of the reforms fell on deaf ears. Dementia patients and their families are now forced to just accept their lot without access to justice. They are first failed by the health care system and then the legal system.

Their only hope is for this problem to be rectified at the source with some real change to the healthcare system for vulnerable older people.



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