



## **Letter to regional newspapers in relation to costs for clinical negligence cases in England**

**July 2015**

Sir

When someone receives medical treatment, expecting to get better, and is then injured because of a blunder which could and should have been avoided, it's only right that he should be able to seek redress to help him get his life back on track.

Proposals to fix legal fees for clinical negligence personal injury claims focus on saving money, rather than getting the costs right. Lawyers' fees must enable them to investigate claims properly and get the right answer for the injured patient. The fees need to cover the cost of medical experts and court fees, as well as a sufficiently experienced legal team, fit to take on the NHS which holds all the cards when a patient is injured or dies needlessly.

Worthwhile, but complicated, cases can result in relatively low damages but still require money to investigate. For example, the level of compensation for a death is shockingly low, and the cost for a lawyer to pursue the claim could outweigh it. If fees were reduced and fixed, these cases might never be able to be pursued or investigated. How can that possibly be right when a patient or a patient's family suffers such an injustice? Just because a case costs more to run than the resulting compensation, does not mean that it should never be brought.



Health secretary Jeremy Hunt warned earlier this year that up to 12,500 patients die needlessly every year because of NHS blunders. The fact that there has been an increase in clinical negligence claims should come as no surprise in view of almost daily publicity about poor treatment.

Compensation does not 'take money away' from the health service. Negligence does. The most effective way to save money, and the only fair way for patients, is to reduce claims by cutting the negligence at source.

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