



**Legal claims against the NHS
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Sir

The NHS brings hope, health, and life to millions of people, but on rare occasions it also fails and patients are injured, and families are bereaved. To save some money for the NHS, the Government plans to cut its legal bill for medical negligence compensation claims. Although the public purse is indeed not bottomless, paying compensation is necessary while the NHS continues to cause unnecessary harm. The Government's priority should be to ensure the NHS serves its purpose to help people. When things go wrong that should be avoided, injured patients and their families need guidance and legal representation.

The Association of Personal Injury Lawyers (APIL) of which I am president, has some ideas for improvements to benefit both our beloved health service and its patients.

The NHS must admit when it is wrong. Failure by the NHS to apologise is the most common complaint raised by patients in England and forces some people down the legal route in search of answers. A 'deny, defend, delay' tactic is used all too often, and drags legal cases out unnecessarily.

Obtaining medical records as part of a medical negligence claim can take up to six months when official guidelines state they should be released within 21 days. Patients and their lawyers do not have time to waste. Quicker recovery of records would reduce a lot of work, uncertainty, and the negative knock-on effect such delays have on costs.



But the easiest and most effective way to cut the NHS's legal bill is for it to learn from its own failures and stop repeating harm. Each claim the NHS has to pay compensation for represents a person who was injured unnecessarily and who needs to get their life back on track.

Jonathan Wheeler

President

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