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NHS INJURY VICTIMS CENTRE OF COMPENSATION REFORMS

People injured through NHS blunders in Wales may benefit from a new Government compensation system.

Plans by the Department of Health to reform the way in which medical disasters are handled have been welcomed by a leading lawyers group whose members act for injured people. In its response to the Government consultation – *Making Amends* – the Association of Personal Injury Lawyers (APIL) hailed the proposed changes as “radical and imaginative.”

Speaking on behalf of the 5,000 strong organisation, president David Marshall said changes to the NHS compensation system were “much needed and long overdue,” but said there was no denying the fact that “vagueness” and “a worrying lack of detail” were a cause for concern.

“What we have here are innovative proposals for fundamental change, and while we applaud any moves to improve the system, we are concerned about lack of detail and whether these changes are affordable,” said David. “Providing everything under a redress scheme from accident investigation to financial compensation – not to mention rehabilitation – will be a costly exercise,” he said. “But, if the money is invested to make the scheme work then its benefits long-term will be invaluable.”

APIL is concerned, however, that the scheme will not have the capacity to deal with complex, higher value cases.

“The Government wants the scheme to process all claims up to a value of £30,000. We believe that cases with a value of more than £15,000 should be dealt with outside the scheme, because they are often extremely complex, both medically and legally.”

While the association welcomed the Government's intention of including care and compensation under the scheme for injured babies, David said he was deeply concerned about the lack of detail.

"All injured babies should have proper care and treatment, without question," he said. "But babies injured through negligence must also be compensated for that negligence."

David stressed that no matter what changes are introduced, the victim's interests must be paramount.

"With more detail and clarification, the changes suggested by the Government appear to be for the better," said David. "But we mustn't lose sight of the fact that we are dealing with people whose lives have been ruined by a negligent doctor, and if that person wants to take his case to court then he should be allowed to do so."

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