

## **LEGAL AID REFORMS BLOCK JUSTICE FOR NHS INJURED**

Thousands of home owners may be left unable to claim compensation should they be injured through NHS negligence.

In its response to the Legal Services Commission (LSC) consultation – *A New Focus for Legal Aid* – the Association of Personal Injury Lawyers says proposals to abolish the current £100,000 equity waiver will place a “shackle” on injured claimants’ access to justice.

“It is already notoriously difficult to bring a claim against the NHS and this move will block access to legal aid for a huge portion of society,” said APIL president Colin Ettinger. “The only people who will get access to justice will be the very poor – as they will be the only ones who qualify for legal aid - or the very rich, who can afford to pay for legal representation.”

APIL has also slammed the LSC’s suggestion that conditional fee agreements should be used instead of legal aid regardless of whether insurance is available.

“It is unfeasible to run a clinical negligence case on a CFA basis, not least because there are few insurers willing to cover what are perceived as risky cases,” said Colin. “The LSC is simply washing their hands of thousands of cases with no proper thought for the consequences.

“The current legal aid system already meets the LSC’s aims of discouraging unnecessary litigation and encouraging early resolution – these reforms will undoubtedly restrict access to justice further.”

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**Note to editors:** A full copy of APIL's response paper is available at [www.apil.com](http://www.apil.com).

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