

THE TIMES



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NHS LEGAL COSTS

Sir, Access to justice in clinical negligence is now mostly privately funded by no win, no fee arrangement (“NHS pays out £1.39bn”, Jul 15): it is free for all at the point of need. Payment of claimant lawyer fees is by result, which imposes commercial discipline. The same cannot be said of NHS defence lawyer fees, which are paid win or lose. This incentivises “delay, deny, defend” tactics and the NHS ends up paying compensation in over 80 per cent of litigated claims. It should look to how it pays its own lawyers if it wants to save money.

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