

## Medical negligence explained

Compensation claims seem to be a central part of modern-day Britain, with people seeking to place blame for every incident that occurs, and this is no different where [medical negligence](#) is concerned. Some cases in the past have gained multi-million pound settlements for the claimant who has suffered because of the incompetent acts of professionals. However, the issue is still regarded as something of a “grey” area and the arguments for or against certain cases are still down to personal interpretation. This article offers a brief overview of medical negligence and the types of claims that can be filed.

**Causes** There is no obvious way of preventing medical negligence, just as there is no obvious way to prevent people making mistakes in all walks of life. The only difference between a medical professional and someone like an accountant making a mistake is that the former has the health of another human being in their hands. Also, it must be considered that the pressure a doctor is under is much greater than most other professions and this could lead to more lapses in concentration. There is also the fact that no two cases are going to be identical to a doctor, and there will be no set routine that can be followed perfectly every time. For this reason, doctors are inevitably going to come across situations where something is unfamiliar and their expertise might have to be overruled by instinct, leaving them more susceptible to error.

**Reactions** When people place their well-being in the hands of a professional, they expect the best treatment; and the work of a doctor is much different from that of a professional, as even the tiniest mistake can have fatal ramifications. When things go wrong, it can be difficult for people to accept that human error is part of everyday life, and that there was no malicious intent to threaten the health of the patient. A lot of patients just want to seek answers to why errors were made, and an apology from the practitioner, yet when these professionals close ranks and shy away from the spotlight, the only feasible route is to take legal action. This route also leads to the claimant being eligible for a compensation payout, something that they might not have intended on gaining when they set out to seek answers from the doctor.

**Time-scale** Medical litigation cases are renowned for being difficult to win and can often stretch out for a number of years. The initial problem is in proving that the doctor’s actions were negligent, a claim that will be defended diligently and with the best medical information and solicitors available. The courts are often inclined to side with the medical institutions in negligence cases to prevent an influx of similar cases in the future – as it could show possible weaknesses of such lawsuits. More often than not, the claimant is simply looking for an apology and realisation on the part of the defendant, with any compensation being something of a side-issue. However, in some cases, compensation is central to proceedings, as the negligent acts of the doctors may have left the patient needing expensive care in the long-term. If you have suffered at the hands of [clinical negligence](#) or suffered another type of injury, such as a [spinal injury](#), you can be eligible for compensation and should contact the experts at Irwin Mitchell for more information.

## About the Author

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