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# Managing fixed costs in clinical negligence work

21 July 2016 03:28 pm

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The government's plans to introduce fixed recoverable costs for clinical negligence claims have been delayed, but are unlikely to be on hold for long. If this is the direction of travel, argues Rebecca Thomas, director in clinical negligence at Duncan Lewis, here's how to make the regime work.



**T**he Department of Health (DoH) intends to limit the costs for clinical negligence claims with the value of up to £250k by the introduction of a fixed costs regime.

The fixed costs regime was due to come into effect on 1 October 2016; however, the health minister has confirmed that a delay in the publication of the DoH's consultation means that the reforms will not be introduced by this date.

There can be no doubt that clinical negligence places a huge strain on NHS finances; however, the impact on patients is far greater. The fact of the matter is that compensation and costs are only paid in successful cases, i.e. where it is

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The current **Section Engagement programme** has been created in consultation with the Section Committee and will focus on key issues including:

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- Court Fees
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- Alternative dispute resolution
- Profitability
- Clinical Negligence
- Fixed Costs