







# What is medical negligence compensation?

Compensation is paid for your past and future pain, suffering, loss of recreational enjoyment and financial losses. Each medical negligence claim is unique, and how much compensation someone is entitled to will depend on:

 The severity of the injury	 Whether further medical treatment is required	 Whether you have suffered a loss of earnings/income or any other financial losses
 Whether the injury is permanent	 The impact of the injury - whether you have lost your independence and whether you now require care and assistance	 Whether you can return to work

## How is medical negligence compensation calculated?

Medical negligence compensation is made up of two separate elements - **Pain and Suffering** and **Financial Losses**



### Pain and Suffering

- Compensation for pain and suffering reflects the nature and severity of the injury. The values are set by Judges using a combination of a tariff system and previous case law. The amount of compensation is based on previous cases of a similar nature and severity.
- Compensation for pain and suffering is often much lower than people expect. Severe brain and spinal injuries are at the top of the tariff system, and these reach around £335,000 compensation. The lowest tariff for minor injuries, where there is complete recovery within three months, reaches £1,060 to £2,050.

To identify the correct amount of compensation for your injury, your medical negligence solicitor will obtain a report from an independent medical expert. The expert will review your medical records and a witness statement prepared by your medical negligence solicitor on your behalf, and it's likely they'll examine you before preparing their report. The report will detail the injuries caused by the medical negligence, how the injuries are affecting you and their impact on your future.



### Financial Losses

Financial losses and expenses caused by the negligence (including past and expected future losses), such as:

1. Loss of earnings
2. Care costs
3. Medical expenses
4. Aids and equipment costs
5. Transport costs
6. Accommodation costs

Assuming you've been able to prove the medical negligence caused your injuries, your claim for past financial losses and expenses can be calculated using receipts and invoices which show your losses. Your independent medical expert will be asked to confirm that these losses were caused by the negligence.

Calculating future losses and expenses is more difficult. This relies on the independent medical expert's opinion of how the injuries will affect you in the future, and likely future financial losses.

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