



Overview : Medical Negligence Compensation



Here is a breakdown of what can be claimed in a Medical Negligence Claim.

General Damages

General damages reflect the pain, suffering and loss of amenity caused by the injury suffered. This amount will depend on the nature of the injury and the length of time it takes to resolve.

Special Damages

Special damages are awarded for any financial losses that have arisen as a result of the negligence. Special damages are split into past and future losses. Past losses will relate to any out of pocket expenses that have already arisen such as:

- **Travel**
- **Care (Usually provided by a family member)**
- **Loss Of Earnings**
- **Prescription Charges**

Future losses will cover losses that will reasonably be incurred in the future. Future losses will normally be calculated based on expert evidence.

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The evidence will assess the required equipment, prescriptions, treatment (amongst other things) that are likely to be required in the future and will also calculate their cost.

Depending on the size of the claim, future losses may be paid as either a lump sum or as periodical payments. Your Legal Advisor will discuss this in more detail. It is important to understand that, in medical negligence claims, the amount of compensation payable will vary case by case.

In most cases, the vast majority of the claim will be made up of Special Damages (that is, past and future losses). In cases involving serious injury, such as brain or spinal injuries, then the main focus of the compensation will be on the cost of future care.