

Accident Claims - Whose Fault Is It Anyway?

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We are all aware of the current compensation culture that exists in the modern world, but are we all aware of the financial impact it is having on the regular taxpayer, the NHS, Councils and Authorities across the land?

Some people would like us to believe that we, the public, are responsible for the financial burden on public funds due to the growing trend of pursuing personal injury claims. It is true that the volume of claims has more than doubled in the past four years or so, but it is the actual cost of the claim that is causing most of the problem.

Funnily enough though, the actual amounts awarded for compensation have not really changed much over the years, but the amount that the legal professionals can charge for their services has.

The government actually pay the solicitors their costs in compensations claims. Some more underhand claims handlers have been known to actually take a percentage of the money that they win for a claimant, so we can see who the actual winners are this instance.

Is it any wonder that on the television there is company upon company pleading to handle your claim for you, when they can charge through the roof and get duly paid by the Government? Ironically, more often than not, the legal and administrative costs exceed what is actually paid to the victim.

If you look at it this way, In the NHS the annual cost of clinical negligence has reached an unprecedented £446 million a year according to Tory Health Spokesman John Baron, of this money a percentage is paid to victims for compensation, and a very large percentage of this money is paid for the legal costs involved. This money is taken directly from the tax payers pockets and should be better used to pay for services, staff, equipment and operations.

So what can be done about it? There have been many suggestions from legal advisors put forward to the Government, but it is far easier for the Government to blame the public for claiming, than blaming themselves for poor legislation.

In an article by business editor Duncan Brodie the following observations were made:

"The real problem is not that so many people are engaging in litigation but that, from time to time, courts have found in favour of claimants whose weak, and sometimes downright frivolous, cases ought to have been struck out ... The real responsibility for the compensation culture lies, therefore, not so much with the public for seeking compensation as with the state for encouraging and even commissioning action where the degree of culpability is such that the case should never reach the court room. The answer lies ... in the application of common sense, by the Legal Aid authorities, by the CPS and, ultimately, by judges."

Very well said. Pearl Deloria is a proud contributing author. Find more articles here. For more info visit [Accident Advice](#) or [Accident Claim Advice](#)