This chapter examines the legal and ethical aspects of medical negligence. It begins with an overview of the law and medical malpractice. It then discusses the law of negligence; the law of contract; medical malpractice litigation in practice; legal costs; the perception that medical negligence litigation is unsatisfactory; the NHS Redress Act 2006; the ‘no fault’ scheme; and the law governing medicines. The law in this area seeks to strike a balance between ensuring patients receive compensation if they have been harmed as a result of bad treatment, and allowing doctors professional freedom to determine which treatment is most appropriate for a particular condition.

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