

## Court cost funding

Sir, The lord chief justice says “most people have been priced out of the civil courts and have to represent themselves” (report, Jan 14, 2016). Happily this is not the situation in clinical negligence where government figures confirm the growth in litigation funded by no-win, no-fee arrangements. This privatised system of funding provides access to justice for all without regard to means, at no cost to the taxpayer, and free at the point of need. Moreover, payment by result imposes incentives so that meritorious cases are pursued, avoiding waste. Indeed, it is so successful that the government will threaten its operation by proposing fixed recoverable legal costs later this month. We disagree that “No satisfactory means of funding the provision of our system of justice has yet been achieved”: funding clinical negligence litigation is in danger of being a victim of its success.

DR MICHAEL POWERS, QC  
DR ANTHONY BARTON  
Lincoln's Inn, London WC2  
Editors, Clinical Negligence  
(fifth edition)