

Medical negligence: then and now clinical negligence

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ANNOUNCEMENTS

Lord Nathan's seminal work, *Medical Negligence*, published in 1957, remains a beacon of insight into the world of clinical malpractice and the sixth edition *Clinical Negligence* continues his legacy.



Lord Nathan, solicitor (1889 to 1963)

In a time when the National Health Service and legal aid were in their infancy, Lord Nathan astutely recognised the burgeoning tide of medical negligence cases, even in the absence of substantive changes in negligence law.

Reflecting on Lord Nathan's observations, one cannot help but ponder what he would have made of the staggering £2 billion spent on clinical negligence within the health service last year alone. His prescient articulation of the liability test, akin to the

principles later affirmed in the landmark *Bolam* case, highlights his keen understanding of the nuanced balance between practitioner expectation and the exigencies of each clinical scenario.

Lord Nathan's recognition of the symbiotic relationship between law and medicine laid the groundwork for future interdisciplinary endeavours in the field of clinical negligence. Decades later, Michael Powers and Nigel Harris pioneered a revolutionary approach, combining legal and medical expertise in their seminal work, *Clinical Negligence*. This interdisciplinary perspective, evident across multiple editions spanning three decades, has cemented the text's status as an indispensable resource for practitioners navigating the complex terrain of medical malpractice.

In the sixth edition of *Clinical Negligence*, jointly edited by Michael Powers KC and Anthony Barton, the legacy of interdisciplinary collaboration endures. Anthony Barton, a solicitor with Medical Negligence Team Law, embodies the enduring vision of scholars like Lord Nathan, Michael Powers, and Nigel Harris. As clinical practice continues to evolve, fuelled by advancements in medical science and technology, the common law remains steadfast, offering a flexible framework capable of addressing the multifaceted challenges of clinical negligence.

The enduring relevance of Lord Nathan's insights and the continued success of texts like *Clinical Negligence* serve as a testament to the enduring importance of interdisciplinary collaboration in navigating the complexities of clinical malpractice. As we look to the future, the intersection of law and medicine will continue to shape the discourse surrounding clinical negligence, ensuring that practitioners remain equipped to deliver justice and accountability in an ever-changing healthcare landscape.

In 1990 the first edition of Powers and Harris *Medical Negligence* was published. Renamed *Clinical Negligence* in its third iteration (2000), the sixth edition has recently been published. Over multiple editions and spanning three decades there have been around 200 contributors. But only one has featured in all: Michael Powers KC. The continuing success of this text confirms his vision that straddles medical and legal disciplines.