

## HEALTH

### Negligence

Dr Rosena Allin-Khan: [2889] To ask the Secretary of State for Health, what discussions he has had with the Secretary of State for Justice on preventing escalating clinical negligence costs in the NHS.

Dr Rosena Allin-Khan: [2890] To ask the Secretary of State for Health, what assessment he has made of the reasons for the increasing cost of clinical negligence cases.

Mr Philip Dunne: The costs of clinical negligence are rising due to a range of factors such as rising activity in the National Health Service, increasing life expectancy, costs of care and factors within the legal environment. We need to tackle this rising expenditure whilst ensuring that patients harmed by the NHS can access appropriate compensation and that the NHS is able to learn from mistakes and improve patient care. In February my Rt. hon. Friend the Secretary of State for Health met with the former Secretary of State for Justice (Elizabeth Truss) at which the Secretary of State for Health was informed that that there would be a change in the personal injury discount rate. This change will have a significant impact on the cost of clinical negligence and the effect on general practice indemnity costs is of particular concern. This is why alongside the announcement of a change to the rate the government announced that the Department will work closely with general practitioners (GPs) and Medical Defence Organisations to ensure that appropriate funding is available to meet additional costs to GPs, recognising the crucial role they play in the delivery of the NHS. Since that time the Ministry of Justice (MoJ) have consulted on proposals to change how the discount rate is set in future. The Department is working closely with MoJ on proposals to introduce fixed recoverable costs in clinical negligence cases which, if implemented, would reduce the disproportionality between damages and costs in lower value claims. The Department also recently completed a consultation on proposals to introduce a 'Rapid Resolution and Redress' scheme which, if implemented, would be an alternative compensation scheme for families who have experienced severe avoidable birth injury. This scheme is aimed at delivering a long-term reduction in these harmful events through investigation and learning and providing an improved experience for affected families. This would be a voluntary scheme which would not affect an individual's right to litigate.