

CLINICAL NEGLIGENCE
WHAT ARE THE ISSUES AND OPTIONS FOR
REFORM?

On 10 July 2001 Alan Milburn, the Secretary of State for Health, announced plans to produce early in 2002 a White Paper setting out reforms to the system for dealing with clinical negligence claims. In announcing these plans Mr Milburn said that the current system is slow and bureaucratic - the recent National Audit Office report 'Handling Clinical Negligence Claims in England' found that on average, those cases closed in 1999/00 took five and a half years to settle - and that despite spiralling costs - nearly £400 million in 1999/2000 - legal costs are often more than claimants actually get in damages. For example, the same National Audit Office Report revealed that under the 'existing liabilities scheme', legal costs were more than damages actually paid out in 44% of cases on average.

The Chief Medical Officer, Professor Liam Donaldson, will chair a committee to look at suggestions to make the system faster and fairer - not only for patients, but for NHS doctors, nurses and other healthcare professionals. The membership of the committee is set out at Annex A to this document.....

CLINICAL NEGLIGENCE REFORM
LIST OF MEMBERS OF THE CHIEF MEDICAL OFFICER'S ADVISORY COMMITTEE

Chair

Professor Liam Donaldson - CMO, Department of Health

Arnold Simanovitz - Association for Victims of Medical Accidents

Clara McKay - Patients' Forum and Consumers' Association

Richard Brewster - Chief Executive, SCOPE

Sir Denis Pereira Gray - President of the Academy of Medical Royal Colleges

Jim Johnson - Chairman of the Joint Consultants Committee

Joe Neary - Vice-chair, Royal College of General Practitioners

Beverley Malone - Royal College of Nursing

Pauline Quinn - Royal College of Midwives

John Pickering - Association of Personal Injury Lawyers

Adrian Whitfield QC - Chairman of the NHS Tribunal

Justice Rupert Jackson

Steve Walker - Chief Executive of the NHS Litigation Authority

Heather Lawrence - Chief Executive of the Chelsea & Westminster Healthcare NHS Trust

Jane Chapman - Claims manager, North West London Hospitals NHS Trust

Alan Cogbill - Director, Civil Justice & Legal Services, Lord Chancellor's Department

Michael Buckley - Health Service Ombudsman

Steve Orchard - Chief Executive, Legal Services Commission

Christine Tomkins - Professional Services Director, Medical Defence Union