

**PRESS RELEASE : 2<sup>nd</sup> JULY 2008 FOR IMMEDIATE RELEASE**

## **NHS WILL DISOWN ITS PATIENTS INJURED IN PRIVATE SECTOR**

In the week that the NHS celebrates its 60<sup>th</sup> anniversary and Lord Darzi published his vision for the NHS over the next 10 years, the Government has confirmed that it is happy for the NHS to disown patients who it has sent for treatment by private providers if they are treated negligently. The Health and Social Care Bill which passed through the Lords on 1<sup>st</sup> July, makes it possible for private providers treating NHS patients to join the NHS indemnity scheme, managed by the NHS Litigation Authority. However, in spite of pressure from opposition spokesmen, Ministers insisted that joining the scheme must be voluntary, and openly acknowledge that some private providers will stick with their own private arrangements. This means that an NHS patient sent for an operation in a private hospital, and injured as a result of negligence, could find themselves effectively disowned by the NHS and left with no option than to try to sue a private corporation defended by their insurers.

AvMA Chief Executive, Peter Walsh, said

“This is a sad day for the NHS when we should be celebrating all of its achievements. The Government has failed to honour its pledge to ensure all NHS patients have the same rights, even if they are treated in the private sector. The sacrifice of this principle is a blow to the traditional vision of what it means to be an NHS patient”.

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1. Website: [www.avma.org.uk](http://www.avma.org.uk)
2. AvMA is a registered charity no. 299123 and a limited company registered in England No 2405420