

June 2012

WELCOME TO OUR LATEST UPDATE ON ISSUES CONCERNING PATIENT SAFETY AND JUSTICE

NEW CEO OF CARE QUALITY COMMISSION ANNOUNCED

It has been announced that David Behan will become the new CEO of the CQC in July. Previous CEO, Cynthia Bower, is resigning following a string of scandals involving the CQC. Mr Behan is currently Director for Social Care, Local Government and Care Partnerships at the Department of Health.

NEW REPORT FINDS PATIENTS NOT BEING PROPERLY ASSESSED AND MONITORED

The report from the National Confidential Enquiry into Patient Outcome and Death ["Time to intervene?"](#) published on 1st June finds that a third of in-hospital cardiac arrests are avoidable with proper assessment and intervention. Elderly patients are worst affected. Much media attention has focussed on subsequent inappropriate resuscitation attempts, but the most worrying finding is that patients are dying unnecessarily as a result of inadequate care in hospital.

LAW COMMISSION URGED TO RECOMMEND RADICAL IMPROVEMENT TO HEALTH PROFESSIONAL REGULATION

AvMA's response to the [Law Commission consultation](#) on health professional regulation published on 31st May calls for a more radical approach. In particular the opportunity must be seized to create consistency between the different regulators; re-write the rules so that patient safety always trumps other procedural issues; and create safeguards to make regulators more accountable by allowing an independent review of decisions not to investigate professionals and giving CHRE more powers. To see AvMA's response click [here](#).

PATIENT SAFETY EXPERTS FEAR WORST FROM NHS REFORMS

At the Patient Safety Congress 700 delegates (all working on patient safety) were asked whether the Health & Social Care Act would help or hinder patient safety. Only one thought it would help. 75% thought it would harm patient safety. 75% also agreed that there should be a Duty of Candour. AvMA ceo Peter Walsh asked Sir David Nicholson if he agreed the Stafford Inquiry recommendations would run contrary to existing policy and if so, would the recommendations be implemented. He confirmed the issue was real but declined to offer assurance that policies would change.

GOVERNMENT REFUSES TO PUBLISH HEALTH BILL RISK REGISTER

The Government is refusing to publish the risk register concerning the reforms in the Health & Social Care Bill in spite of having lost an appeal to the Information Commissioner. Ministers have used a veto intended only for genuinely exceptional cases such as when national security is compromised. AvMA has long voiced concerns that the risk to patient safety was never properly assessed in drawing up the health reforms, and a draft risk register which has been leaked seems to confirm this.

LEGAL AID BILL SURVIVES CHALLENGE

The controversial Legal Aid Sentencing and Punishment of Offenders Bill has survived the last serious challenge and is set to become law. It will mean that from next year in clinical negligence cases legal aid will only be available to a small number of obstetric cases involving brain damage (the one significant concession that AvMA and other campaigners secured). In no-win no-fee cases, many victims will struggle to find a solicitor to represent them or be unable to afford the costs of insurance or medical reports to get an investigation. If claimants do succeed, they may be deprived of up to 25% of their general damages to pay solicitors' success fees. AvMA have condemned the new system as illogical, unfair, and bad for the NHS as well as bad for access to justice.

AvMA 30th ANNIVERSARY APPEAL

2012-2013 marks the 30th anniversary of the formation of AvMA. In spite of AvMA's many achievements, the need to improve patient safety and access to justice following medical accidents remains great. Please support us if you can. Here are just some of the ways you can help:

- **AvMA 30th Anniversary Celebration, London, 23rd November 2012:** Join with others celebrating where we've got to so far and raising awareness and funds for patient safety and justice. For details click [here](#). Alternatively, St. John's Chambers in Bristol is holding a charity ball for AvMA on 28th April. For details click [here](#).
- **Donate:** AvMA relies on its charitable fundraising to continue to develop and provide support to people affected by medical accidents and to campaign for patient safety and justice. If you would like to make an online donation to AvMA easily and securely, simply click [here](#). If you would like to make a regular donation please complete and return the form from [here](#).
- **Participate:** We have also developed a whole range of opportunities to raise money for the charity and have fun at the same time. These range from holding a coffee morning to doing a sponsored parachute jump. Some other ideas include organising a charity golf day or quiz night in support of AvMA, or doing a sponsored run or other activities. Our events team will provide you with all the help and support you need. Contact them at conferences@avma.org.uk or visit "[Support Us](#)".

AvMA IN THE NEWS:

15.04.12 The Observer: Letter re legal aid bill amendments :
<http://www.guardian.co.uk/theobserver/2012/apr/15/observer-letters-teach-children-coding?newsfeed=true>

17.04.12 BBC Radio Sussex: incident at Eastbourne DGH / SUIs

29.04.12 Sunday Express: medication errors
<http://www.express.co.uk/posts/view/317089>

30.04.12 Daily Mirror: wrong testicle removal

03.05.12 Health Service Journal, article re Duty of Candour:
<http://www.hsj.co.uk/resource-centre/best-practice/patient-safety-resources/dont-be-daunted-by-the-duty-of-candour/5043539.article>

11.05.12 CHRE Newsletter: PW article on Law Commission review

28.05.12 BBC TV South: regulation of NHS

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FORTHCOMING EVENTS:

For information visit the [events](#) page of our website or e-mail conferences@avma.org.uk