All-Party Parliamentary Group for First Do No Harm

Meeting with Nadine Dorries MP, Minister for Patient Safety, Suicide Prevention and Mental Health

Venue and time

10:30am, Tuesday 26th January 2021

Via Zoom virtual conferencing

Parliamentarians attending

- Baroness Cumberlege, Co-Chair
- Yasmin Qureshi MP, Vice-Chair
- Emma Hardy MP, Vice-Chair
- Sharon Hodgson MP, Vice-Chair
- Alex Norris MP, Shadow Minister for Prevention, Public Health and Primary Care
- Dr Julian Lewis MP
- Lord Alton of Liverpool

Guest speaker

- Nadine Dorries MP, Minister for Patient Safety, Suicide Prevention and Mental Health

Apologies

- The Rt Hon Jeremy Hunt MP, Co-Chair
- Cat Smith MP, Vice-Chair
- Lord O'Shaughnessy, Vice-Chair
- The Rt Hon Lord Hunt of Kings Heath, Vice-Chair
- Lord Patel of Bradford, Vice-Chair
- Lord Sheikh
- Baroness Ritchie of Downpatrick
- Baroness Bennett of Manor Castle

Observers: a range of representatives from patient groups, the healthcare system and the media.

Introduction

Baroness Cumberlege began by welcoming fellow parliamentarians, patient group campaigners and members of the media to the launch event.

Baroness Cumberlege also introduced the team from the Independent Medicines and Medical Devices Safety Review, who were on-screen:

- Sir Cyril Chantler
- Dr Valerie Brasse
- Simon Whale
- Dr Sonia Macleod

Baroness Cumberlege then provided attendees with an update on developments relating to the implementation of the Review's recommendations. She referenced the Medicines and Medical Devices Bill, which had received its Third Reading in the House of Lords the previous Thursday. She explained that a Government Amendment to establish a Patient Safety Commissioner for England had been passed at Report Stage, and had commanded support from across the House. She thanked the Minister, her officials and fellow parliamentarians for ensuring its smooth passage through the House. She also congratulated patient campaigners, for whom this represents a significant victory.

Baroness Cumberlege noted that Ministers had said the Government has no current plans to establish a Redress Agency, and expressed her disappointment. She stated that there needs to be a better way of ensuring people who suffer avoidable harm in the future can access the redress they need. The present litigation-based system is stressful, complicated and expensive, and has not served patients well to date.

Baroness Cumberlege also restated her hope that the Government moves quickly on introducing three separate redress schemes for those who have suffered avoidable harm related to hormone pregnancy tests, valproate and pelvic mesh. She was encouraged that the Review's proposal on this matter remains under

active consideration, and that the Government has sympathy with the notion that these schemes will offer families much needed help and support.

Baroness Cumberlege explained that the Department for Health and Social Care (DHSC) had published a written update from the Minister for Patient Safety two weeks previously. Baroness Cumberlege said that she was grateful for the update, but that a number of questions remained outstanding.

Update from the Minister

The Minister began by explaining that, upon her promotion to Minister of State at the DHSC, she had requested that Patient Safety be placed first in her Ministerial title. She said the Independent Medicines and Medical Devices Safety Review was a personal priority within her Patient Safety portfolio.

The Minister thanked Baroness Cumberlege for recognising the hard work of officials at the DHSC, whose work responding to the publication of *First Do No Harm* has been complicated by the pressures of the coronavirus pandemic. She also extended her thanks to her parliamentary colleagues, including the officers of the APPG for First Do No Harm, and the Review Team for continuing to represent the interests of patients and their families post-publication.

She paid tribute to the work of patient campaigners, many of whom were attending the virtual meeting.

She said the Review demonstrated, like many other independent reviews and inquiries have previously, that women are often ignored when raising concerns about medical issues. She said it was essential that this changed, and that existing efforts must be redoubled to ensure the patient voice is at the heart of patient safety.

The Minister said she was confident that a Patient Safety Commissioner will play a key role in strengthening the patient voice. She emphasised that the Government's commitment to patient safety was not limited to the establishment of a Patient Safety Commissioner. Referring to the written ministerial statement published two

weeks previously, the Minister said that the Government's progress on the other recommendations was testament to its renewed focus on patient safety.

She cited Recommendation Seven of *First Do No Harm*: a medical device information system, which was also established via a Government amendment to the Medicines and Medical Devices Bill.

Referring to Recommendation Six of *First Do No Harm*: the substantial revision of the work of the Medicines and Healthcare products Regulatory Agency (MHRA), the Minister said the MHRA had already begun a substantial programme of work to improve how it listens to and involves patients in all aspects of its work.

She said that the Government acknowledges that further action is needed to provide support for those who have already suffered, and reduce the risk of harm to patients in the future. She recognised the need for continued patient engagement in order to rebuild trust. For that reason, the Government is establishing a Patient Reference Group, made up of patients and patient representatives – including those who had interacted with the Review – facilitated by an independent organisation and co-chaired by a patient representative. She said the Group would meet regularly and ensure that patients' voices are heard as the Government moves towards a substantive response to all of the Review's recommendations. The process of recruiting members of the Reference Group was under way. The Minister recommended that attendees circulate details of this through their own networks.

[For more information about the Patient Reference Group, visit the APPG's website: http://firstdonoharmappg.org.uk/].

The Minister concluded her remarks by saying the Government owed it to the families of those affected by the three interventions to deliver on the findings of *First Do No Harm.*

Q&A

Baroness Cumberlege thanked the Minister for her remarks.

Before opening up widely to questions, Baroness Cumberlege referred to the support the Review Team had offered Lord Bethell and officials at DHSC when they were developing the Government's plans to establish a Patient Safety Commissioner in statute.. She extended the same offer of support to the Minister in relation to officials' consideration of the three separate schemes. The Minister declined Baroness Cumberlege's offer, explaining that this was now a matter for the Government.

Emma Hardy MP, Vice-Chair of the APPG FDNH and Chair of the APPG for Surgical Mesh, said she was disappointed about the Government's position on a Redress Agency. She suggested Kath Sansom, the administrator of the Sling the Mesh campaign group, should be a member of the Patient Reference Group. Emma Hardy said the specialist mesh removal centres that are being created (in response to. Recommendation Five of *First Do No Harm*) are unlikely to be launched by their publicised date of April 2021, and that there is no agreed treatment regime, meaning levels of care could differ between centres and depending on the surgeon.

The Minister said she would welcome Kath Sansom's participation in the Patient Reference Group and thanked Emma Hardy for the information on the introduction of the specialist mesh centres. She explained that NHS England (NHSE) was working with various NHS Trusts on the introduction of these specialist centres.

Baroness Cumberlege referred to a question submitted via the Q&A function asking the Minister if she would meet with the Campaign Against Painful Hysteroscopy. The Minister said she had exchanged correspondence with them previously, but agreed to verify that.

Lord Alton, Vice-Chair of the APPG on Hormone Pregnancy Tests, asked whether the Minister agreed that Primodos should have been removed from the market in 1967, as the IMMDS Review had concluded. He also asked if there would be an independent re-examination of the work of the Expert Working Group on Hormone Pregnancy Tests (EWG). He concluded by asking what practical help would be available to families affected by Primodos.

The Minister said she was restricted in what she could say in response because of ongoing legal action. She said the Department's and the Government's position on the causal link between HPTs and malformations remains consistent with that of the EWG, who had concluded that the available scientific evidence did not support a causal link.

Baroness Cumberlege referred to a question submitted via the Q&A function citing a new study that has been produced on pelvic mesh erosion which concluded that "all the commercial products tested were capable of eroding tissue at a significant rate." The questioner had asked whether, in light of this new evidence, all mesh use be suspended until further research is concluded.

The Minister said she believed that mesh remains to be a viable treatment choice for some women. She recommended that the questioner apply to be a member of the Patient Reference Group. She also said that the status of the 'pause' on the use of mesh for stress urinary incontinence is under regular review.

Yasmin Qureshi MP pressed the Minister on a timeline for the provision of compensation for victims of Primodos. She also referred to interventions made by parliamentarians across the House in opposition to the findings of the EWG, echoing Lord Alton's calls for a re-examination of its findings. She said it was her belief that the way the system has dealt with Primodos-affected families has been entirely guided by the findings of the EWG, whose conclusions they doubt. She also said that the case for compensation via a Redress Agency is entirely separate to the ongoing legal action, which would likely be dropped in the event an Agency is set up in the expectation that it would deliver the same outcomes for Primodos-affected families.

The Minister said she was unable to comment because of the ongoing litigation, and could not be drawn on the Redress Agency in respect of the individual interventions. She said it was the Government's view that a Redress Agency is not the answer at this particular point in time, but that the Department was looking at the issue of redress more widely.

Sharon Hodgson MP, Vice-Chair of the APPG for *First Do No Harm,* raised concerns on behalf of her mother, who suffers as a result of mesh implantation, about when

she can expect to have her mesh removed, and whether it would be the same surgeon responsible for implanting the mesh in the first place.

The Minister said she could not comment on individual cases or treatment options, but that NHSE is working closely with Trusts to set up the network of specialist centres, and that she expects NHSE to make a statement on progress in Spring this year. She said she could not comment at this stage on which clinical staff will be employed at each centre. In the event it is the same surgeon responsible for implantation, the Minister recommended that one emails the CEO of that Trust to explain.

Baroness Cumberlege said she understood that NHSE intended to make a statement on this matter very soon.

Concluding remarks

Baroness Cumberlege thanked all of those who had submitted questions but had not received answers and directed them to the Group's website and social media for more information.

The Minister asked that outstanding questions be provided to her officials so that she could follow up in writing.

Baroness Cumberlege concluded the session at 11:30am.