

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service Litigation Authority (Amendment) Directions 2015

The Secretary of State for Health, in exercise of the powers conferred by sections 7(1), 8(1), 272(7) and (8) and 273(1) of the National Health Service Act 2006(a), gives the following Directions:

Citation and commencement

1.—(1) These Directions may be cited as the National Health Service Litigation Authority (Amendment) Directions 2015.

(2) These Directions come into force on 10th March 2015.

(3) These Directions are given to the National Health Service Litigation Authority established by the National Health Service Litigation Authority (Establishment and Constitution) Order 1995(b).

(4) These Directions apply in relation to England only.

Amendment of the National Health Service Litigation Authority Directions 2013

2. In the National Health Service Litigation Authority Directions 2013(c), after direction 5 insert—

“Directions relating to the handling and processing of claims relating to the activities of Johnny Savile

5A. The Authority(d) is directed to—

- (a) handle and process any claims, and make payments in respect of any such claims (including payments of damages, payments in settlement of a claim, and payments of legal costs) arising from any liability of the Secretary of State which relates to the activities of Johnny Savile during his employment at Springfield Hospital(e), (“Johnny Savile claims”); and
- (b) agree with the Secretary of State, in advance, such decisions with respect to the handling and settlement of, and payments in respect of, the Johnny Savile claims as the Secretary of State may specify.”

(a) 2006 c.41. By virtue of section 271(1) of the National Health Service Act 2006 (“the 2006 Act”) the functions of the Secretary of State as exercised in making these Directions are exercisable only in relation to England. Section 7 was amended by section 21 of the Health and Social Care Act 2012 (c. 7). Sections 8, 272 and 273 of the 2006 Act have been amended but the amendments are not relevant to these Directions.

(b) S.I. 1995/2800; amended by S.I. 2005/1445, S.I. 2013/295 and S.I. 2014/3090.

(c) These Directions were signed on 28th March 2013 and were amended by the National Health Service Litigation Authority (Amendment) Directions 2013, signed on 5th November 2013. Both of these sets of Directions are available from <https://www.gov.uk/government/publications/nhs-litigation-authority-directions-2013>, or by writing to: The Department of Health, Professional Standards, Quarry House, Leeds, LS2 7UA.

(d) See direction 1(5) of the National Health Service Litigation Authority Directions 2013 for definition of “the Authority”.

(e) Springfield Hospital is now known as Springfield University Hospital and is part of South West London and St. George’s Mental Health NHS Trust, which was established by S.I. 1994/3178, amended by S.I. 1999/1384, S.I. 2013/593 and S.I. 2014/2459. Article 8 of S.I. 1994/3178 lapsed on the repeal of paragraph 6(2) of Schedule 2 to the National Health Service and Community Care Act 1990 (c. 19) by section 65 of, paragraphs 74 and 83 of Schedule 4 to, and Schedule 5 to, the Health Act 1999 (c. 8).

Signed by authority of the Secretary of State for Health

9th March 2015

Ben Masterson
Member of the Senior Civil Service
Department of Health