

Claire McCanny
Senior Assistant Assembly Clerk
NIPSO Ad Hoc Committee
Room 276, Parliament Buildings
Stormont, Belfast
BT4 3XX

12 June 2015

Northern Ireland Public Services Ombudsperson (NIPSO) Bill

Dear Ms McCanny

BMA Northern Ireland is both a Professional Association and a Trade Union which represents the medical profession in Northern Ireland across all Branches of Practice and our mission is, *'we look after doctors so they can look after you.'*

BMA has 155,000 members worldwide, and 75% of doctors and medical students are members in Northern Ireland.

BMA Northern Ireland's General Practitioners Committee welcomes the opportunity to comment on the Northern Ireland Public Services Ombudsperson (NIPSO) Bill and we have a number of concerns in relation to this. We note that the Medical Protection Society and the Medical Defence Organisation have submitted evidence in relation to this.

Given the limited time constraints for us, we have initially identified two issues that we have some concerns over: the potential lack of procedural fairness; and the introduction of new cost sanctions.

Northern Ireland secretary: Claire Armstrong

Chief executive: Keith Ward

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Listed as a Trade Union under the Trade Union and Labour Relations Act 1974



In relation to the lack of procedural fairness we believe that this is not consistent with the European Convention on Human Rights and that both complainant and respondent should have equal rights to representation. Our concern about the new cost sanctions relates to the potential consequence of creating a parallel jurisdiction that could award redress payments, which would in effect be compensation awards, without the accepted legal safeguards of civil litigation rules and procedures.

We believe that some aspects of this bill could undermine the right of doctors to obtain legal advice and could cause unnecessary reputational damage.

Please do not hesitate to contact, Judith Cross, Senior Policy Adviser, on 02890269687 or jcross@bma.org.uk if you require any further clarification on the issues raised or to discuss this further.

Yours sincerely



Dr Tom Black
Chair NIGPC