



Llywodraeth Cymru
Welsh Government

**WRITTEN STATEMENT
BY
THE WELSH GOVERNMENT**

TITLE **Response from the UK Government to the Legislative Consent Motion vote on the Medical Innovation Bill**

DATE **31 March 2015**

BY **Mark Drakeford AM, Minister for Health and Social Services**

You will be aware that Lord Saatchi's Medical Innovation Bill has been making its passage through Parliament. The Welsh Government has grave concerns about this Bill and requested that the provisions within the Bill did not apply to Wales.

I laid a legislative consent memorandum on 10 December 2014, and we debated the related motion in the Chamber on 3 February 2015. There was cross-party consensus in the Assembly that we should not consent to the Bill applying to Wales, with 54 votes to 0 voting with the Government, against the motion.

As a consequence of that vote, I wrote to the Parliamentary Under Secretary of State for Quality (Lords), Earl Howe, to register again the concerns of the Welsh Government, and to convey the outcome of the Assembly's vote on the LCM relating to this Bill. I also confirmed I would share the response from Earl Howe once I received it.

I am disappointed to convey that the UK Government has maintained its position that the provisions within the Bill relate to non-devolved matters, 'clinical negligence and the common law of tort', as opposed to subjects under the 'health and health services' heading in Schedule 7 to the Government of Wales Act. The Welsh Government remains strongly of the view that the Bill's provisions do relate to the latter. However, this is now immaterial in the context of this Bill as it has run out of parliamentary time and will not progress further within this Parliament.

The UK Government has confirmed it will continue to explore how best to encourage medical innovation and has pledged its commitment to work with the Welsh Government to ensure high standards of care for patients on both sides of the border.

This statement is being issued during recess in order to keep members informed. Should members wish me to make a further statement or to answer questions on this when the Assembly returns I would be happy to do so.

