

CABINET OFFICE CONSULTATION

HANDLING RISKS TO THE PUBLIC

A RESPONSE BY THE ASSOCIATION OF PERSONAL INJURY LAWYERS

FEBRUARY 2003

The Association of Personal Injury Lawyers (APIL) was formed in 1990 by claimant lawyers with a view to representing the interests of personal injury victims. APIL currently has over 5300 members in the UK and abroad. Membership comprises solicitors, barristers, legal executives and academics whose interest in personal injury work is predominantly on behalf of injured claimants. APIL does not generate business on behalf of its members.

Any enquiries in respect of this response should be addressed, in the first instance, to:

Annette Morris
Policy Research Officer
APIL
11 Castle Quay
Nottingham
NG7 1FW

Tel: 0115 958 0585

Fax: 0115 958 0885

E-mail: Annette@apil.com

MANAGING RISKS TO THE PUBLIC

1. APIL welcomes the Government's moves to improve the management of risks to health and safety by the public sector and agrees that :
 - Handling risk should be firmly embedded in Government's policy making, planning and delivery;
 - The Government's capacity to handle strategic risks should be enhanced;
 - Risk handling should be supported by good practice, guidance and skills development;
 - Departments and agencies should make earning and maintaining public trust a priority when dealing with risks to the public;
 - Ministers and senior officials should take a clear lead in improving risk handling.
2. To achieve these aims, the Government proposes a two-year programme of change, linked to the Spending Review timetable, and clearly set in the context of public sector reform. This programme would involve, amongst other things, integrating Strategy Unit recommendations with existing initiatives, communications with the public, introducing standards and benchmarking and encouraging corporate governance.
3. APIL believes that the Government's proposals are a good start but does not believe that they go far enough to ensure that risks to health and safety are effectively managed. In addition, some risks need to be addressed by more than one Government department and problems can arise where responsibility for the management of safety is fragmented.
4. To ensure that risk management is placed firmly on the Government's agenda, APIL calls for the introduction of a Director of National Safety. The appointment of such a director would lead to the centralisation of risk management and the

director would work to secure improvements in safety. In achieving this, it is envisaged that the director would:

- Produce, and review annually, a national safety strategy;
 - Hold regular meetings with Government departments and safety-related bodies such as the Health and Safety Executive, Air Accident Investigation Branch and Rail Accident Investigation Branch to ensure that best practice is being adopted and to ensure that all necessary information is being exchanged between them;
 - Monitor safety improvements and risk management techniques adopted in other countries;
 - Examine industry reports and trends to identify any necessary action.
5. In conclusion, APIL believes that the Government should take a much more robust approach to risk management and the appointment of a Director of National Safety would ensure that a thorough and consistent approach is taken to both safety and risk management. It would also allow the public to feel confident that the Government was putting safety firmly on its agenda.