

For Decision

GRO-C: Ian

3/3

vCJD Compensation – revision proposals

The arguments put forward by counsel (especially risks about reopening the level of award for previous claims, the shifting of burdens on to families, and risks about future funding) seem to provide a strong argument for rejecting the Trustees proposals.

However, given the low volume of new cases the submission does not seem to adequately make a case for accepting Counsel's proposals. Whilst the 'do nothing' option does have risks, these do not appear to be mitigated by Counsel's proposals. In fact option 2 seems to introduce further risks without mitigating those present in the 'do nothing' option. In light of the low volume of claims I feel a stronger justification is required to reopen the issue in a manner which is unlikely to fully satisfy either claimants or the administrators, without strong evidence for the potential benefits.

^{both}
Are you content to reject the proposed changes unless a stronger justification for action can be presented?

There does however seem little argument against taking action to reduce the costs of administering the scheme. Whilst recognising that the provision of staff etc. by DH is not realistic, **are you content to press the Trust to take action to reduce management and legal fees? (for example through tendering for the administration, and moving to a different legal firm)**