

General election reaction from Browne Jacobson's health and life sciences team

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Gerard Hanratty, Head of Health and Life Sciences at UK and Ireland law firm Browne Jacobson, said:

"With lots on its plate to make positive change in the NHS, the new Government's healthcare strategy should combine short, medium and long-term priorities that begins to gradually move us from a curative to preventative system.

"Reforms to dentistry, mental health and smoking are immediate areas that will help proactively address key health and service issues

"A more challenging task will be to clear NHS waiting lists within five years, so the Government must find a way of making it easier for the private sector to partner with trusts and plug the gap in delivering vital services. Identifying the right legal framework for provider collaboration can bring better services, cost efficiencies and transparency for patients.

"At the same time, we must continue to embrace the role of technology and data in the modern healthcare system while safeguarding patients.

"Along with further developing the NHS app to enable patients to manage their medicines, appointments and health needs, a clear AI regulation strategy is required.

"This should be developed to enable cross-border, data-driven healthcare as far as possible. By striking a delicate balance between promoting innovation and ensuring accountability through ethical guidelines and standards for AI development and deployment, we can create a more efficient and preventative-focused healthcare system."

The impact on clinical trials landscape

Charlotte Harpin, Partner in the health and life sciences team at UK and Ireland law firm Browne Jacobson, said: "Commitments to speeding up the clinical trials process by embracing technology and standardising documentation will be welcomed by the life sciences industry and should help to attract new investment and market entrants.

"Furthering the scope of the NHS app features prominently in Labour's manifesto healthcare pledges with a vision to create something resembling a 'patient passport' in which patients can access their health, appointments and medication information via a single user interface.

"It therefore makes sense to broaden the app's remit by integrating the ability to sign up for clinical trials as this has until now been less directly within patient control, given that they are typically enrolled on the recommendations of their clinicians or having spotted opportunities in advertising.

"Expanded use of the app will involve consideration of the data protection aspects related to this and how this would link with the patient consent process (including the role of the Confidentiality Advisory Group where consent is not being obtained), alongside facilitating integration within other technological solutions that could be used to enhance the overall efficiency of the clinical trials process.

"As well as widening the pool of clinical trial participants, which will bring advantages in terms of contributing to tackling inequalities in healthcare, clinical set-up times can be reduced by standardising the approvals and contracting process. The streamlined approvals process used during the Covid-19 pandemic illustrated the advantages of this for high priority, urgent areas of research so this might be one longer-term option for research where there is a compelling public interest.

A standardised approach to contract documents, as we have for NHS commissioning, would also be helpful to improve efficiency. Consideration should be given to how technology solutions could be used for this part of the process.

“With the current system being sometimes difficult to navigate, particularly for new entrants to the clinical trials landscape, simplification appears to be a sensible policy. However, while there are some potential quick fixes that could be implemented – for instance, enabling clinical trial sign-up via the NHS app – the development of standardised contract documentation and further streamlined governance will likely take longer. Establishing a clear responsibility for taking this forward will be key in order to realise these ambitions quickly.”

Contact



Gerard Hanratty

Partner

gerard.hanratty@brownejacobson.com

+44 (0)330 045 2159

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